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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. FLETCHER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 23, 2002.

I hereby appoint the Honorable ERNIE FLETCHER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

WELFARE REFORM

Mr. STEARNS. Mr. Speaker, I would like to bring a little good news to the floor this morning on the subject of welfare reform. When the 1996 welfare reform bill was debated in Congress, scholars across this country, legislators at the State and Federal level, in the Senate and the House alike, predicted that a welfare system which demanded work, imposed sanctions, and operated under time restrictions would result in huge declines in family income. One Member of Congress went so

far as to say that the 1996 legislation was, quote, the most brutal act of social policy since reconstruction, end quote.

Well, Mr. Speaker, we now have the benefit of time and we have the benefit of the U.S. Census Bureau data on family income and poverty for the year 2000, thereby allowing informed judgments in the debate on welfare reform and, of course, its benefits to the poor. This new data suggests great strides have been made since 1996. For the seventh year in a row, poverty is down. Even more, African American and Hispanic households had their lowest poverty rates ever. And the overall child poverty rate was lower than in any year since 1976.

During the debate in 1996, the Urban Institute predicted that if this bill was enacted, the 1996 reforms would cast another 1 million children into poverty. Mr. Speaker, on the contrary, nearly 3 million children have been lifted out of poverty since 1996. The African American child poverty rate and the poverty rate for children living with single mothers are both at their lowest points in United States history. In fact, child poverty has declined more than twice as much during the economic recovery of the 1990s as it did during the economic recovery of the 1980s.

Welfare reform has removed the "expectation-less" public safety net that served more as a hindrance than a motivational tool. As required by the 1996 law, States have overhauled their work requirements. As a result, in fiscal year 2000, the percentage of working welfare recipients reached an all-time high, up to 33 percent from 11 percent in 1996. The poorest 40 percent of single-mother families increased their earnings by about \$2,300 per family on average between 1995 and 1999. Many single mothers leaving welfare told researchers and reporters that not only were their children proud of their

work, and she was proud of them, but they felt pride in their accomplishments as well.

Welfare reform has positively affected both the recipient and well-intentioned yet often misguided programs. Program leaders have realized that offering material goods and money is no substitute for personal engagement, instruction, and mentoring. The previous welfare system unintentionally engendered dependency and encouraged irresponsibility. Today's welfare-to-work mentoring programs are established to reach impoverished city residents beyond just monetary support. It is a way of recapturing a commitment to others.

While social welfare policies primarily affect various individual aid recipients, they also affect the families of the working poor, the governmental agencies administering welfare programs, and institutions of civil society, including social service nonprofit organizations. However, welfare reform's most profound influence is seen in its effect on our families. Reform is assisting parents in becoming responsible role models. The resulting positive influence for the children is immeasurable.

Mr. Speaker, the critics were wrong. Millions of families have been lifted from poverty by trading their welfare check for a paycheck. As we begin to reauthorize the welfare programs enacted in 1996, let our vision for independence rather than dependence be maintained. Surely we have seen a revolution in how government addresses the needs of the poor through assistance and empowerment. However, the real success belongs to the individual who took responsibility for themselves and their families.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H1491

DOMESTIC STEEL INDUSTRY IN
CRISIS

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, in recent years the United States has become the world's largest steel dumping ground at the expense of U.S. jobs, U.S. families, the U.S. economy, and maybe U.S. national security. It is a fact. This fact must be addressed now.

As a Nation, we import more than twice as much steel than we did in 1991 and we do so at prices significantly lower than those in 1998. This surge in illegally dumped steel has been devastating to the domestic steel industry. In the last 4 years, 26 steel companies have filed for bankruptcy; seventeen have filed for bankruptcy protection in the last year alone. This list includes three companies in northeast Ohio: RTI of Lorain; LTV Steel of Cleveland; and CSC Steel in Warren.

I recently joined civic leaders, company executives, and steelworkers at a public rally for Lorain's RTI, a steel manufacturer that employs 1,500 people in my district. At the rally, I cited the President's decision to impose a section 201 steel tariff as one of the primary reasons that I was optimistic. But at the same time we were rallying in support of RTI, the President's Treasury Secretary was telling European leaders that he expected a large proportion of the tariff exemption applications filed with the United States to be decided upon favorably by the United States. As a representative of a steel-producing State that has suffered severe hardship due to illegal steel dumping, I was disturbed to hear the President's Treasury Secretary make comments shifting the administration away from its own recently imposed 30 percent tariff on imported steel. These statements have continued to be a source of great concern to those of us in Congress who had assumed, I hope not wrongly, that the Bush administration was committed to enforcing its own tariffs on illegally dumped steel.

One can imagine the confusion these statements have caused the tens of thousands of already anxious steelworkers. The President's remedy excludes steel coming from Korea and Australia. The tariff remedy also excludes steel from our NAFTA partners, Canada and Mexico, which opens up the very real possibility of the illegal transshipment from Asian countries or somewhere else through Mexico or Canada. A Mexican steel company, for example, could easily have foreign steel shipped to a plant in Mexico, where they then could redirect it to the United States with little or no direct value added.

Administration trade officials have argued that there are appropriate controls in place to prevent this transshipment of foreign steel, but there are also controls in place to prevent the

transshipment of other items and the transshipment of illegal narcotics through Mexico, and to prevent the importation of unsafe foods. The sad truth is the Federal Government, because of Republican budget cuts, inspects only 1 percent of all the imports, food and any other kinds of steel imports and anything else, only 1 percent of the imports that cross the U.S.-Mexican border. Our border agents simply do not have the resources necessary to prevent illegally transshipped steel from entering our country.

The current tariff remedy has already been diluted by the Bush administration. The holes in this steel tariff that President Bush himself created severely weaken our safeguards against illegal dumping. During an October visit in 2000 to Weirton, West Virginia, then Vice Presidential Candidate DICK CHENEY criticized the Clinton administration's handling of the steel issue. He pledged that a Bush administration would take action on the steel crisis, and he told steelworkers, "We will never lie to you. If our trading partners violate trade laws, we will respond swiftly and firmly."

The steel industry needs the administration to follow through on that promise. The domestic survival of this industry absolutely depends on it. The survival of this industry is not just an economic issue. It is also an issue of national security. We must protect the 700,000 hard-working families who rely on this industry for their salaries, for their pensions, and for their health benefits. We also must ensure that we retain the ability in terms of national defense to manufacture steel for planes and weapons and ships.

In addition to strict enforcement of the Bush tariff, the Republican leadership in the House should respond to public demand, should respond to a majority of Members on both sides of the aisle, and bring the Steel Revitalization Act to the House floor. In the future, Congress and the President must respond to the public's demand for U.S. trade policies that actually support American workers. If the President is sincere about helping the steel industry, he will not allow these exemptions suggested by his own Treasury Secretary. He will not allow these inappropriate exemptions to erode the effectiveness of his tariffs. He will not back away from these measures before they have been given a chance to work.

To give concerned Members of Congress, Mr. Speaker, and employees of the steel industry confidence, I urge President Bush to publicly affirm his support for his own administration's steel tariffs.

ADMINISTRATION CONSIDERS
LOWER PUBLIC DEBT LIMIT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, the leadership is currently considering a proposal to change the definition of debt subject to the debt limit. This proposal would create a new lower limit applying only to debt held by the public. This would exclude debt owed to government trust funds, principally the Social Security and Medicare trust funds. As chairman of the Speaker's debt limit task force in 1995 and 1996, I oppose this proposal.

Ending the inclusion of debt held by government trust funds, what the general fund has borrowed from Social Security and Medicare, in the statutory debt limit is unwise for good fiscal reasons. I think that the proposal of creating two classes of debt will create opportunities for the manipulation of government accounts to disguise the true level of debt.

This concern is not wholly theoretical. The Treasury has used some accounting gimmicks available in the past. As my debt limit task force report documented, the Treasury divested \$39.8 billion from the civil service trust fund in November of 1995 to avoid bumping up against the statutory debt limit. Though the divestment was reversed after an increase in the debt limit, it put the retirement benefits of millions of government employees at risk while masking the true size of government obligations. If we change the debt ceiling to apply only to Wall Street debt, the same thing could happen to Social Security and Medicare.

The truth is, however, that there are only a limited number of opportunities for this sort of finagling under current law. Creating a broad class of accounts outside of the debt limit will increase the danger of this sort of manipulation exponentially. Further, it will complicate government accounting and make it even more difficult to understand the government's true financial situation.

I have another concern as well. Taking government-held securities out of the debt limits comes close to saying that our debts to bondholders on Wall Street are more important, or more real, than our debts to the Social Security and Medicare trust funds. The change could be portrayed as discounting our obligations to Social Security and Medicare while protecting Wall Street bondholders. It would be, in fact, a denial of the fiscal mess we are in with our entitlement programs. Not only do we owe that money in the trust funds that some would like to ignore, we have tens of billions of dollars of unfunded liabilities for Social Security and Medicare. We have to face up to this challenge and make some hard decisions. Instead, the proposed debt ceiling change would sweep it under the rug, our future obligations, leaving the problem to our children and grandchildren.

If we are interested in honest accounting and fair depiction of our government finances, we would increase

the debt ceiling dramatically to account for these unfunded liabilities, what we have promised in Social Security and Medicare which are going to be future debt and future cost, and we would account for these in addition to what we have borrowed from the Social Security and Medicare trust funds as well as the so-called Wall Street debt.

□ 1245

Perhaps raising the debt ceiling would wake up those in Congress who hope the obligations of the entitlement program will simply go away or simply be dealt with with future Congresses, because it is politically difficult to acknowledge how and who is going to pay for those future obligations. I would just like to say that Chairman Alan Greenspan suggests that possibly we should have no statutory debt limit, because the true obligation comes from how much Congress spends and legislation we pass promising future benefits or future spending. I disagree.

Though painful, I believe that we should have a full discussion about how much debt, including the unfunded liabilities, our country should leave to future generations, and how this would best meet our country's goals of fiscal discipline and honest government accounting.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. FLETCHER). Pursuant to the order of the House of January 23, 2002, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the challenges of this Congress are many, and there are many diverse interests that we have. Representatives of the people's House come from all over the Nation, and clearly they offer to the American people the best opportunity to debate the issues that Americans are concerned about.

One of those that causes a great deal of confusion, of course, is the policies of immigration and the work of the Immigration and Naturalization Service.

More than any other time, September 11 helped the issues of immigration to explode on the psyche of Americans. I have constantly said as the ranking member of the Subcommittee on Immigration that immigration does not equate to terrorism. So many of us came to this land in many different forms, some voluntarily and some involuntarily.

Mr. Speaker, we have this week the opportunity to address the questions of fixing the Immigration and Naturalization Service agency, to be able to address the concerns not only of Americans, but Members of Congress, who day after day and time after time spend a good 60 percent or more of their office staff time addressing the questions of immigration.

Some would say, here we go again, talking about illegal immigrants and

people coming in to take our jobs. No, immigration deals with individuals who come here to reunite with their family, who come to be a part of this great country, who are law-abiding, tax-paying individuals and families, and they are hard working. Immigrants represent the infrastructure and base of the agricultural industry; and if we talk to those who are in that industry, they will be the biggest champions of those who come to work, but maybe not so much the champions of good working conditions and housing conditions and compensation.

So America has to be honest and true to its values and balance the reunification of families and the fairness of our Nation with the fact that we must have a system that thwarts illegal immigration, but respects and acknowledges access to legalization and family reunification.

This week, we will be dealing with the restructuring of the INS. Some call it the abolishing of the INS. It is a re-vamping and a redoing. It is to set up an agency that can work. We establish, for the first time in history, a Children's Bureau that deals with the many children that come unattended to the United States, who need either an opportunity to be reunited with their families, or to be sent to their homeland.

It provides a real office of student tracking so the tragedies of September 11 with student visas not being appropriately tracked will have at least an office. It gives the position of the Deputy Associate Attorney General, the second-highest-ranking job in the Department of Justice, the responsibility of covering two bureaus, one dealing with those accessing legalization and the other dealing with enforcement. It provides a line of chain of command so that the centers and district offices are coordinated and there is not one hand saying something different from the other hand, that enforcement is not in conflict with services, but that they are coordinated.

Someone said, it is going to be under the Department of Justice and I do not like that. It is under the Department of Justice now. But we are abolishing it in its form so that the administration can change the infrastructure under the umbrella of this new legislation. I would only hope that they will take up the chance and work with Congress. We will be fighting for more resources and professional development training for the employees and the right of these particular leaders of this agency to select new staff, energized staff to be able to work on these issues.

I hope that the op-eds in the editorial pages of America's newspapers will take the time to read and understand legislation as opposed to making blanket comments about what they do not like and do like. All of us have problems with the systems that are broken in the immigration structure, but we cannot have problems with those who come to this land seeking opportunity

and justice. Who are we to say. Each of us, all of us can count an experience of coming to this land of opportunity. No one, except for our native Americans, has any standing to suggest who can come in and who cannot. We must have procedures and laws. We must promote legal immigration and access to legalization, but we must also as a country stand for our values.

Mr. Speaker, we will get that opportunity to debate this important bill on the floor of the House this coming Thursday. It started out as H.R. 1562, which I wrote some years ago; and it is a compromise bill, working together with both sides of the aisle. But I am very proud of the Children's Bureau that has been included and the fact that we now have a structure that allows for a command chain to be in place and to also be able to fix the problems, fix what is broken, and to be able to respect that all of us have walked and all of us have come for freedom and justice and opportunity.

I hope that this does not wallow into the accusations of anti-immigrant policies and debate. I hope that it talks about what this bill is; and it is to fix the system, to protect our borders, to ensure that we have protection for those who come legally and the acknowledgment of those who do not. Then I hope, lastly, that we will bring America together, because that is what this country stands for, unity and an affirmation of our wonderful values.

COMMEMORATION AND REMEMBRANCE OF THE ARMENIAN GENOCIDE

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentlewoman from Maryland (Mrs. MORELLA) is recognized during morning hour debates for 5 minutes.

Mrs. MORELLA. Mr. Speaker, I rise as a member of the Congressional Caucus on Armenian Issues to commemorate tomorrow's eighth annual Capitol Hill observance of the 87th anniversary of the Armenian genocide. I do want to thank my colleagues on the caucus, including the Chairs, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Michigan (Mr. KNOLLENBERG), for their work in organizing the tribute that will take place tomorrow evening. This observance does take place every year on April 24. I hope that my comments a day earlier will attest to my earnestness and passion about the issue.

It was on that date in 1915 that more than 200 Armenian religious, political and intellectual leaders were arrested in Constantinople and murdered. Over the next 8 years, persecution of Armenians intensified; and by 1923, more than 1.5 million had died and another 500,000 had gone into exile. At the end of 1923, all of the Armenian residents of Anatolia and Western Armenia had been either killed or deported.

The genocide was criticized at the time by our United States Ambassador,

Henry Morgenthau, who accused the Turkish authorities of "giving the death warrant to a whole race." The founder of the modern Turkish nation, Kemal Ataturk, condemned the crimes perpetrated by his predecessors. Yet this forthright and sober analysis has been ignored by the United States during the last decade.

The intransigence of this and prior administrations to recognizing and commemorating the Armenian genocide demonstrates our continued difficulty in reconciling the lessons of history with what we believe, and that is, those who fail to learn the lessons of history are condemned to repeat them. We have seen this continually in this century, the abject failure to learn and apply this basic principle. The Armenian genocide has been followed by the Holocaust against the Jews, mass killings in Kurdistan, Rwanda, Burundi, and Bosnia. Many of these situations are ongoing, and there seems little sense of urgency or moral imperative to resolve them.

This was brought home to me when I visited the memorial of the genocide in Yerevan, Armenia, when I led the delegation there several years ago; and here in the United States I have seen the anguish on the faces of the survivors and I have talked to the families who have lost loved ones during that holocaust of the Armenians.

Commemoration of the Armenian genocide is important, not only for its acknowledgment of the suffering of the Armenian people, but also for establishing a historical truth. It also demonstrates that events in Armenia, Nazi Europe, and elsewhere should be seen not as isolated incidents, but as part of a historical continuum, showing that the human community still suffers from its basic inability to resolve its problems peacefully and with mutual respect.

Last year, I sent a letter to our Maryland legislators with several of my colleagues here in the House urging their support of the Maryland Day of Remembrance. I am pleased to say that last April, Maryland joined 27 other States to pass resolutions condemning the Armenian genocide. I am proud to have joined 161 of my House colleagues in sending a letter to President Bush urging him to appropriately acknowledge the Armenian genocide in his April 24 commemoration statement. We urge President Bush to follow Senator Bob Dole's message to simply "state the truth." There was an English poet who once said, "Truth is beauty, beauty, truth. We ask for the truth."

H.R. 1433, THE COMMUNITY CHARACTER ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, as we deal with global issues that at times threaten to overwhelm us, there are issues here at home that we can get our arms around that deal with the quality of life, one being the consequence of unplanned growth and development right here in our neighborhood. Some call it sprawl; others call it dumb growth. The facts are that many Americans are increasingly frustrated by the consequences of haphazard development and a failure to balance the needs of individuals, businesses, and the natural environment and the activities that impact on people's lives now.

I have worked with the American Planning Association and a bipartisan group of Members of Congress in both Chambers to produce the Community Character Act, legislation which would provide incentives and resources to assist communities, cities, and States to develop appropriate responses.

Recently, this legislation came under attack by the administration. The Secretary of Housing and Urban Development, Mel Martinez, stated that the proposed legislation would "infringe on the rights of local and State governments to manage their growth."

He went on to say that it "sets a dangerous precedent to make the Secretary of HUD, Commerce or Agriculture the land use arbiter with the power to usurp the local government's authority." It is clear that the Secretary and his staff have not analyzed this bill. Indeed, they have appeared not to have read it at all.

A key reason for the Community Character Act and a primary obstacle to State comprehensive planning stems from the outdated statutes in place at the State level. Roughly half the States rely on a model of land use planning legislation that was created by the Department of Commerce over 70 years ago. The transformation of America's landscape and settlement patterns since the 1920s has changed drastically. Updating State plans are necessary to create the framework that will allow the States to address the modern world and adequately plan for the future.

The Community Character Act directly responds to the widespread concerns of citizens and local governments on this issue. In 1999, approximately 1,000 land-use reform bills were introduced in legislatures across the country.

□ 1300

On Election Day 2000, there were over 550 State and local ballot measures related to land use planning and development issues. Over 70 percent of them passed.

A recent survey indicated that 78 percent of the voters believe that it is important for this Congress to help communities solve problems associated with urban growth. More than 75 percent of the voters think Congress should provide incentives, funding, and other resources to help with livability.

Our bill provides grants for the States to help do their work. It does not dictate a one-size-fits-all approach, but rather, recognizes that each State is unique and wants its own approach. What is important is that the States take an approach. The bill would reward them for moving forward.

It is true that one size does not fit all, and that is precisely why this legislation does not mandate any particular action by the State or local level. It instead provides an incentive for States to address the issues that most directly affect their prosperity and well-being, such as promoting sustainable development in economic and social equity; coordinating transportation, housing, education, and other infrastructure development; and conserving historic resources and the environment.

We all have a stake in this effort, and the Federal Government has a critical role to play. Our Federal Government has been involved in land use issues since the beginning of the Republic, when we took land away from the Native Americans and gave it to Europeans to farm, and in building our Nation's transportation infrastructure of ports, roads, railroads, canals, the air system, the Internet highway system. Those were all Federal initiatives.

It sets the rules, like for wetlands development; and then there is the Clean Air Act, the Clean Water Act, the Endangered Species Act, that all have a profound effect on Americans and on how we use our land.

But most important, the Federal Government is the largest landlord, landowner, and employer in this great country. Instead of creating conflicts that do not exist, the Federal Government needs to do three simple things: It needs to be a better steward of our own lands; it needs to follow the same rules that we ask the rest of America to follow in dealing with their land; and finally, it needs to be a better partner with State and local governments across the country.

Together with the Federal Government as a partner with the private sector, State and local governments, and individual communities, we can make our communities more livable, where our families are safer, healthier, and more economically secure.

I strongly urge the administration and my colleagues to support the Community Character Act to help get us there.

RECESS

The SPEAKER pro tempore (Mr. FLETCHER). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 3 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, the decline of trust in government and other institutions in the United States over the past 30 years has long been documented.

Young people float through an age of disillusionment while older people survive on comparisons with yesterday.

The credibility gap affects Americans of all ages and divides generations, while mistrust infects a virus in marriage, friendship, as well as business and international relations.

The psalmist tells every believer it is better to place our trust in You, O Lord, than to trust in our own strength or trust in weapons or people of power.

Since You alone are eternal faithfulness, send forth Your spirit and renew this Nation, that we may again become trustworthy people, bringing hope to a fearful world.

Let the rebuilding of trust begin here. Lord, touch the Members of the House of Representatives, that they may be men and women of renewed integrity and solidarity.

Step by step, may human vulnerability be turned into virtue as all work to strengthen relationships that will bind people in solid faithfulness both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. JEFF MILLER) come forward and lead the House in the Pledge of Allegiance.

Mr. JEFF MILLER of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY AND TRANSPARENCY ACT

(Mr. PITTS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, the economy is on the rebound. Most of our key economic indicators are showing good news, but one thing is hanging heavy on the economy. The collapse of Enron has shaken America's faith in American corporations and accounting practices. Even the stock market is suffering because of this.

Congress needs to address this. This week we will be voting on the Corporate and Auditing Accountability, Responsibility, and Transparency Act. This bill will improve corporate responsibility, reform accounting oversight, and increase corporate disclosure.

Americans need to know that the companies they are investing in are reporting their finances honestly. Americans need to know that their finances will be protected, and Americans need to know that they can diversify their 401(k)s so they can protect themselves from investments that do not do as well as expected.

Madam Speaker, I call on my colleagues to pass this important bill and tell every American that we care about honesty and integrity than we care about their retirement.

SHIPPING NUCLEAR WASTE TO YUCCA MOUNTAIN

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Madam Speaker, Congress will soon vote on whether to send nuclear waste to a scientifically unsound and leaky repository at Yucca Mountain, Nevada. The Department of Energy has tried to hide how they plan to ship at least 77,000 tons of toxic nuclear waste through 45 States. There may be more than 108 shipments, not to mention as many as 3,000 shipments by barge.

The real dirty secret that the DOE has tried desperately to ignore is the immense vulnerability of these transports. More than 123 million people live in the 703 counties along DOE's proposed highway routes and 106 million people live in counties along DOE's rail routes. Even routine radiation from the casks, given off while passing on the highway, would be a health risk for people living and working in the vicinity of the transportation routes.

The threat of terrorism is more real for Americans more now than ever. At every stage of transport, nuclear waste would be vulnerable to a devastating terrorist attack that would result in massive civilian casualties and severe financial loss.

The risks associated with transporting nuclear waste are clear. The question is, are we willing to play nuclear roulette with our Districts? Say no and oppose Yucca Mountain.

PENSACOLA CATHOLIC HIGH SCHOOL

(Mr. JEFF MILLER of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFF MILLER of Florida. Madam Speaker, I rise today to honor the students and faculty of Pensacola Catholic High School. For 7 years, students at Pensacola Catholic High have embraced Make A Difference Day. Make A Difference Day was created by USA Weekend Magazine and is one of the most encompassing national days of helping others, a celebration of neighbors helping neighbors.

They have achieved the astronomical participation rate of 80 percent. They have made it their annual mission to help the elderly in Pensacola maintain their homes and to pitch in around the community. On October 27th, 2001, 450 students fanned out around Pensacola and painted four houses and an elementary school, built nine picnic tables, cleaned two neglected cemeteries, weeded a community rose garden, spruced up a homeless shelter's playground, and made \$1,300 at a car wash for the school's Make A Difference Day scholarship fund.

The students were recognized as one of the ten national honorees by the USA Weekend Magazine's Make A Difference Day. The students will receive a \$10,000 Make A Difference Day award, funded by Newman's Own, and have selflessly donated it to Catholic Charities of Northwest Florida.

I commend these selfless students for all they have done to the betterment of Northwest Florida.

LUDWIG KOONS

(Mr. LAMPSON asked and was given permission to address the House for 1 minute.)

Mr. LAMPSON. Madam Speaker, about 1,000 children a year are taken outside the borders of the United States. These are noncustodial parental abductions. We have thousands of them across our country, and I urge each of my colleagues to help join that fight to bring them home.

One such case is that of Jeff Koons, who I have been talking about now for several months. The last time I talked about it, he had been awarded custody by the courts in New York, but soon thereafter his ex-wife filed for custody and a divorce suit in Italy. Well, he went along with that.

He argued the matter in Italy that New York laws should be followed. He even went along and hired psychiatrists to evaluate both himself and his ex-wife to see who would be fittest of the parents. Lo and behold, after a year of investigation, the Italian court-appointed psychiatrist determined that custody should be granted to Mr. Koons.

On February 28, 1998, a panel of judges of the First Section of the Rome

Tribunal found that Jeff Koons should have custody and granted that custody. That custody was to commence on August 1, 1998; and as I look, we are now in April of 2002. Four years later, Mr. Koons still does not have his son.

Father Coughlin spoke of trustworthy people bringing hope to a fearful world. Where are the trustworthy people? Bring our children home.

TRAIN DERAILMENTS PROVE NUCLEAR WASTE SHOULD NOT BE SHIPPED ACROSS AMERICA

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Madam Speaker, this morning our Nation witnessed yet another tragic train accident. A commuter train collided with a freight train in southern California with at least one dead and hundreds injured. This latest accident follows two other serious train accidents, one in northeast Florida killing four and injuring hundreds, and one yesterday when a freight train derailed in Wells, Nevada.

Madam Speaker, these events are not just isolated incidents. Instead, they show that accidents can and do happen. While these recent accidents certainly are unfortunate and tragic, the death toll and environmental damage that could have occurred if the freight train was shipping high-level nuclear waste would have been absolutely devastating.

We should not take that risk. We should not ship nuclear waste across our entire country to a hole in the ground that will not even solve our nuclear waste problem. It is time to prevent a disaster.

For the good of our country, it is time to stop the Yucca Mountain project.

SUPPORTING BULGARIA'S MEMBERSHIP IN NATO

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, I rise today to express my support for the expansion of NATO to include the Republic of Bulgaria and to welcome Bulgarian Prime Minister Simeon Saxe-Coburg-Gotha to America.

An April article in The Washington Times notes that U.S. Ambassador to NATO, Nicholas Burns, was impressed by Bulgaria's reforms during his visit to Sofia. A recent Washington Post editorial noted Bulgaria has already assisted America and Afghanistan and can make substantial contributions for Europe as a member of NATO.

I commend the efforts of patriots like Prime Minister Simeon Saxe-Coburg-Gotha, Ambassador Elena Poptodorova, Foreign Minister Solomon Pasi, Defense Minister Nikolai

Svinarov, Deputy Chief of Mission Emil Yalnazov, and Ambassador Stefan Stoyanov for continuing important reforms.

I was an observer of Bulgaria's first democratic elections in 1990, and I have witnessed the progress of Bulgaria's democracy. Bulgaria is strategically located, and would enhance NATO for the mutual defense of southeastern Europe.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that she will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Such record votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 6:30 p.m. today.

HONORING UNITED STATES SECRET SERVICE NEW YORK FIELD OFFICE FOR EXTRAORDINARY PERFORMANCE DURING AND IMMEDIATELY FOLLOWING SEPTEMBER 11, 2001

Mr. OTTER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 384) honoring the men and women of the United States Secret Service New York field office for their extraordinary performance and commitment to service during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001.

The Clerk read as follows:

H. RES. 384

Whereas the United States Secret Service New York field office located in 7 World Trade Center was destroyed on September 11, 2001, as a result of terrorist attacks;

Whereas, throughout the day of the attacks and subsequent days, the men and women of the New York field office continually and knowingly placed themselves in exceptional danger in their efforts to save life;

Whereas, in selfless dedication to others, Master Special Officer Craig Miller was lost in the collapse of the World Trade Center;

Whereas, subsequent to the terrorist attacks, the men and women of the United States Secret Service New York field office worked tirelessly to re-establish critical field office operations and assist State and local public safety officials; and

Whereas the United States Secret Service performs a critical role in the protection of freedom, and these acts represent a dedication to duty in the highest traditions of the Department of the Treasury and the United States of America: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the continuing service and commitment of the men and women assigned to the United States Secret Service, New York field office;

(2) recognizes the critical importance of the United States Secret Service to our national security; and

(3) supports providing the necessary resources to ensure the full operation of the

New York field office and the mission of the Secret Service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. OTTER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. OTTER).

GENERAL LEAVE

Mr. OTTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 384.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. OTTER. Madam Speaker, I yield myself such time that I may consume.

Madam Speaker, I am pleased to have the House consider House Resolution 384 introduced by my distinguished colleague, the gentleman from Oklahoma (Mr. ISTOOK). I commend him for sponsoring this important resolution.

This resolution honors the men and the women of the United States Secret Service New York field office for their extraordinary performance and commitment to service during and following the September 11 terrorist attacks on the World Trade Center.

Madam Speaker, Building 7 of the World Trade Center housed a number of Federal Government offices, including the IRS, the EEOC, the Defense Department, the Securities and Exchange Commission, and the New York field office of the United States Secret Service. The field office was destroyed on September 11 and, tragically, Master Special Officer Craig Miller lost his life when the building collapsed.

Master Special Officer Miller was at the Marriott Hotel that morning when the hotel was evacuated. Master Special Officer Miller had a military background and extensive emergency medical training. It is believed that he went back into the towers to help the wounded.

His courage in the face of danger was extraordinary and typifies the hundreds of men and women who put themselves in danger to help others on that horrific day. Master Special Officer Miller and his actions reflect a proud tradition of selfless service to our Nation by the United States Secret Service.

Madam Speaker, our Nation will never forget the horror of September 11, but neither will we forget the heroism of so many on that terrible day. Today we recognize the commitment of the men and women of the Secret Service New York field office.

Within 48 hours of attacks, this New York field office was fully operational. A remarkable achievement, Madam Speaker. The office was completely destroyed, but within two days it was up and running again and fighting the war on terrorism. The Electronic Crimes Task Force, a division of the New York

field office, with the cooperation of the business community, restored wireless communications and computer network capabilities.

The challenges, Madam Speaker, were only just beginning, for the President of the United States was to schedule a visit to that site. The United Nations General Assembly was weeks away from commencing its activities, and there were ongoing criminal investigations that needed to be continued.

Madam Speaker, we honor the employees of the New York field office of the Secret Service today because of their integrity, their tireless energy, and their dedication in serving the citizens of the United States and of New York City.

The Secret Service is currently occupying office space at the John Jay College and the Penn Station Post Office. They have earned our gratitude and whatever resources are necessary to continue their protective and criminal investigative missions.

Madam Speaker, I ask all Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

□ 1415

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to join with the gentleman from Idaho in consideration of this resolution honoring the men and women of the United States Secret Service, New York field office, for their extraordinary performance and commitment to service during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001.

Madam Speaker, the United States Secret Service is mandated by the United States Congress to carry out two distinct and significant missions: protection and criminal investigations. One of the Nation's oldest Federal investigative law enforcement agencies, the Secret Service was founded in 1865 as a branch of the United States Treasury. Its original mission was to investigate counterfeiting of U.S. currency.

Though the Secret Service's primary mission is to protect the President and Vice President, and the Nation's financial system, on September 11, 2001, these men and women placed themselves in harm's way to protect the ordinary citizen. They did so after their offices in the World Trade Center were destroyed and after losing one of their own, Master Special Officer Craig Miller.

The New York field office's tireless work to reestablish critical field office operations and assist State and local public safety officials after their attacks is a testament to the Secret Service's commitment to the City of New York and to the American people.

We often think of the Secret Service as a Washington-based organization that protects the President, heads of state, the White House, and other na-

tional treasuries in the District of Columbia. Now we know that the Secret Service is present in cities all over the country and is ready to serve and protect all of us at a moment's call. So I join with my colleague in urging total support for this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. OTTER. Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I thank the gentleman from Illinois for his generosity in yielding me this time, and I rise in strong support of this resolution.

Being a Secret Service employee is special. It is a job that requires a very special kind of person, a person that would be held to a higher standard than others, and a person who we depend upon to protect our Nation's leaders, our communities, and our Nation's financial systems.

On September 11, the images of heroes that we all remember were of first responders, like firefighters and New York City Police Department officers. Within the masses, however, were special people that we may not have noticed, and some were the men and women of the Secret Service.

The Secret Service field office, as has been said, was located at Number 7 World Trade Center, which was adjacent to the north and south towers. For the second time since the World Trade bombing in 1993, these men and women faced unusual challenges that tested their courage, strength, dedication, and loyalty.

On September 11, like any other morning, most of the Secret Service employees were either settling into their offices or still making their way to work. Others were about to attend meetings to prepare for the upcoming meeting of the United Nations General Assembly. At 8:48 a.m. their offices in Building 7 shook and the lights flickered. Most of them stopped for a quick moment but quickly returned to their work.

However, after realizing that a plane had hit the north tower of the World Trade Center, they very quickly went into an alert mode. Although most other tenants started to evacuate the building, the men and women of the Secret Service instinctively grabbed first aid trauma kits and other emergency equipment.

Special Agent in Charge, Steve Carey, and other managers ran from one floor to another, and room to room, to ensure that everyone was moving to safety. Once outside, they saw the sky engulfed by flames and smoke. Some of the agents ran into the north tower to assist in the evacuation process. Others began to execute the emergency medical skills that they had been trained to perform and set up small triage units on West Street to assist the injured.

Tragically, as the gentleman from Idaho (Mr. OTTER) has said, the Secret Service lost an employee, Master Special Officer Craig Miller. Officer Miller was on a temporary assignment in New York for the United Nations General Assembly and was nearby at the Marriott Hotel when the first plane hit the World Trade Center. Although the hotel was evacuated, it appears that Officer Miller stayed behind to help.

Because of his military background and extensive emergency medical training, those who knew Officer Miller believe his life was taken while trying to assist the wounded. In fact, some of the medical equipment was later found in the lobby of the Marriott Hotel that that particular officer had in his possession.

Following September 11, the employees at the New York field office knew that the hours and days ahead would be equally challenging. Not only were they now without an office, but all of their equipment, all of their equipment was destroyed with their building. However, with strong support of other Secret Service offices within the region and around the country, and other law enforcement assistance, they returned to a readiness mode in 48 hours, as the ranking member has indicated, an extraordinary achievement in and of itself. In fact, within 48 hours of the attack, the Secret Service Electronic Crimes Task Force was able to track the cell phone use of some of the terrorists involved in the attack.

The men and women of the U.S. Secret Service have devoted, Madam Speaker, their careers to protecting the lives of others, to protecting the financial integrity of our Nation, to protecting the integrity of our currency. Their level of bravery was no real surprise. Their courageous efforts were simply an extension of what they had been trained to perform at any given minute. They are deserving of this honor and always worthy of trust and confidence.

Madam Speaker, Franklin Delano Roosevelt said that "the lives of nations are determined not by the count of years but by the lifetime of the human spirit. The life of a man," he said, "is three score and ten, a little more or a little less, but the life of a Nation is the fullness of its will to live." How special are these agents that we call Secret Service, how special are these people who themselves represent the fullness of the will of a Nation to live and to succeed.

These patriots, Madam Speaker, these proud Americans demonstrated that even under attack, the Nation stands strong; the human spirit remains unbowed. I rise in strong support of this resolution and thank the gentleman from Oklahoma (Mr. ISTOOK), who was responsible in many respects for its introduction; and I thank the members of the committee for quickly processing this resolution which the gentleman from Oklahoma and I and others will personally deliver to the

men and women of the Secret Service located in New York next week.

Mr. OTTER. Madam Speaker, I yield myself such time as I may consume to thank my colleague from Maryland (Mr. HOYER) and my colleague from Illinois (Mr. DAVIS) for their kind remarks and for recounting the litany of heroic deeds of that tragic day in New York City.

Madam Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. ISTOOK), who has brought this to our attention in the form of recognition and legislation.

Mr. ISTOOK. Madam Speaker, I thank the gentleman for yielding me this time, and I will not duplicate some of the terrific details that were recounted by my friend, the gentleman from Maryland (Mr. HOYER); but I do adopt them in praise of the men and women of the Secret Service and the heroism that they displayed on September 11, 2001.

Madam Speaker, I rise today in tribute to the very selfless efforts of the men and women of the United States Secret Service, the New York field office, on September 11, 2001, and the days that have followed since then. It is difficult to separate oneself at a time like this, to get beyond looking at the totality of the horrific events that occurred so that we can examine individual acts of determination, of compassion, and of courage. They are far more telling about the fate and future of our country and how the fate and future will be bright because of this determination, compassion, and courage. That is more telling about our country's future than the damage that was inflicted by this evil.

There were a great many examples of selflessness and courage, as we have heard, that occurred that day. They came from a multitude of people, from a multitude of walks of life. I am focusing at the moment on the Secret Service because, as chairman of the Subcommittee on Treasury, Postal Service, and General Government of the Committee on Appropriations, I have come to know them through the work that our subcommittee does with them, and through the fortunate experience that I have had of having several of the good people of the Secret Service work in my personal congressional office on fellowship programs. I have to say that while the resources we provide to them are important, there is no substitute for the character and dedication that these individuals bring to their efforts and to their mission.

On September 11, the Secret Service New York field office, which was located in 7 World Trade Center, was destroyed by these terrorist attacks. Throughout that day, throughout that night, there were countless examples, as we have heard, of Secret Service employees placing themselves at great risk to be of aid to others. Just one example of heroism and dedication is Master Special Officer Craig Miller, who was lost in the collapse of the

World Trade Towers. It is important that Craig Miller be remembered as an example of what is truly important about this country.

We may never know exactly how Craig Miller died that day, but his life provided many examples of the sterling character which characterizes the people in the Secret Service of which we speak. That day his sacrifice, and the sacrifice of others who were lost beside him in serving others, inspires all of us as Americans to move ahead on the course of freedom; to know that through dedication to duty, through strength of character, and through selfless service to others freedom will prevail.

The men and women of the Secret Service New York field office proved themselves worthy of the trust and confidence that we have placed in them. Throughout the hours and days that followed the attacks, they tirelessly worked to reestablish critical field office operations and also to assist State and local public safety officials.

The performance of the personnel in the New York field office on that day and the days that followed represent a dedication to duty in the highest traditions of the Department of the Treasury, of the United States Secret Service, and of the United States of America.

Madam Speaker, I am grateful for this opportunity to recognize their service, and I urge adoption of this very important resolution.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume to associate myself with the remarks of all the distinguished speakers and would urge passage of this resolution.

Madam Speaker, I yield back the balance of my time.

Mr. OTTER. Madam Speaker, I yield myself such time as I may consume; and in closing, I would just like to reflect that the author of this legislation was one whose district had witnessed such a terrible disaster in the bombing of the Federal building in Oklahoma City, and so it echoes of the patriotism that we saw there and we saw again in New York City.

I would like to thank my colleagues who have come down here today to honor the men and women of the Secret Service of the New York field office. After September 11, they worked tirelessly to reestablish the critical operations, as we have all heard, and undoubtedly that contributed to the safety and the continuation of this great Nation and equally important to the continuation of this great Republic.

Madam Speaker, I urge all Members to join with those of us who have spoken in favor of this resolution on the floor in support of this resolution.

Madam Speaker, I rise in strong support of H. Res. 384, honoring the continuing service and commitment of the men and women assigned to the United States Secret Service, New York field office.

On that horrible day on September 11th, the New York field office of the U.S. Secret Service located in 7 World Trade Center was destroyed as a result of the attacks. However, in the face of grave danger, the men and women of the Secret Service valiantly and selflessly assisted rescue workers at the scene in their efforts to save the thousands of people working in the World Trade Center complex.

Our Nation witnessed the best and the worst of humanity that fateful day. Accordingly, it is incumbent upon our Nation to honor those heroes, be they here or departed. Accordingly, I urge my fellow colleagues to support this important measure.

Mr. OTTER. Madam Speaker, I yield back the balance of my time.

□ 1430

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Idaho (Mr. OTTER) that the House suspend the rules and agree to the resolution, H. Res. 384.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING UNITED STATES CUSTOMS SERVICE FOLLOWING TERRORIST ATTACKS ON SEPTEMBER 11, 2001

Mr. WELLER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 385) honoring the men and women of the United States Customs Service, 6 World Trade Center offices, for their hard work, commitment and compassion during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001.

The Clerk read as follows:

H. RES. 385

Whereas the United States Customs Service offices located in 6 World Trade Center were destroyed on September 11, 2001, as a result of terrorist attacks;

Whereas the men and women of the United States Customs Service in 6 World Trade Center selflessly, and at great risk, ensured no one was left behind in the imperiled building and continued to extricate coworkers until all 760 Customs employees were safe and accounted for;

Whereas the men and women of the United States Customs Service in 6 World Trade Center selflessly, and at great risk, ensured the safety of others while assisting national, State, and local officials in continued rescue and recovery efforts;

Whereas the United States Customs Service established a temporary operations center at JFK Airport just hours after the attack and worked tirelessly to permanently relocate the New York Customs office only 3 weeks later;

Whereas the dedicated men and women of the United States Customs Service continue to sift through the debris at 6 World Trade Center to retrieve vital evidence, which has since aided in recent criminal convictions; and

Whereas the United States Customs Service, with increased resolve, continues its vigil to safeguard our borders and serve on

the frontline in our Nation's war against terrorism, and the men and women of the United States Customs Service represent a dedication to duty in the highest traditions of the Department of the Treasury and the United States of America: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the continued dedication of the men and women assigned to the United States Customs Service, New York operations;

(2) recognizes the critical importance of the United States Customs Service on the frontline of our national security efforts; and

(3) supports providing the necessary resources to ensure the full operation of the United States Customs Service, New York operations, and that of Customs nationwide.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WELLER) and the gentleman from California (Mr. BECERRA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of H. Res. 385. I commend the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Maryland (Mr. HOYER) for their leadership in bringing this special legislation before the House of Representatives, as well as their strong support for all Federal employees.

This resolution honors the men and women of the United States Customs Service for their dedication and bravery, not only for their heroic actions on and following September 11, but for their daily work to protect our country from terrorism. In fact, I would note that Customs Service employees were responsible for capturing a terrorist now known as the "Millennium Bomber" carrying bomb material on December 14, 1999, at the Canadian border in Washington State. The suspect who had plans to set off a bomb in Seattle remains in custody in Los Angeles.

The offices of the Customs Service were destroyed at 6 World Trade Center, but the Customs Service employees ensured that no one was left behind in the shaky building until every worker was accounted for, 760 employees in all.

In the days following September 11, the Customs Service workers proved their dedication to their fellow coworkers and to our country by volunteering to sift through debris to find evidence of the crime, mementos of lost coworkers, and human remains so that loved ones might know the final resting place of their family members.

Recovery workers have continued their dedicated efforts by work at the Fresh Kils dump on Staten Island, continuing the process of sorting tons of debris. In fact, over 1.5 million tons of debris has been sorted by Customs Service volunteers alone. Customs Service volunteers searched in coordination with the New York Police Department and the FBI, using only garden rakes and their own hands. Almost

all of these volunteers have never done disaster or recovery work before, but feel that it is their duty and an honor to continue the process of searching for victims.

Even the search dogs give up when they can find no survivors. However, Customs employees continue their dedicated search, and for this we honor them today. In the words of one dedicated volunteer, "It isn't often that you have a chance to work at something that means so much."

Madam Speaker, our hearts go out to the victims of terrorist attacks on September 11, 2001 and their families. Just as we have seen with these Customs Service employees in New York City, we have seen how the average American can support their country; and time and time again on the day of those terrorist attacks and after, we have seen how the average American can become a hero serving the American people.

Let us join together today recognizing and honoring the men and women of the United States Customs Service, those workers located at World Trade Center 6.

Madam Speaker, I reserve the balance of my time.

Mr. BECERRA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise along with my colleague from Illinois and salute our workers in the Customs Service who have worked so valiantly, and have tired in many cases, but continue to stand strong in support of security for Americans here and abroad.

I rise in support of H. Res. 385, which honors the heroic acts of our men and women assigned to the United States Customs Service in New York City, and the operations that have been there for quite some time, not only during the attack on September 11, but immediately following the attacks, and they continue to this day with their service.

This resolution recognizes the critical importance Customs employees play as our front line of security. Too often we forget that before that problem, that terror enters our country, it is the people of the Customs Service who are there to make sure it does not come in.

We must continue to provide the New York Customs employees with the resources they need to continue full and effective operations in protecting Americans. I thank the gentleman from Maryland (Mr. HOYER) and the gentleman from Oklahoma (Mr. ISTOOK) of the Committee on Appropriations for their leadership in bringing this resolution to the House floor for approval.

The Customs Service was struck directly by the attacks of September 11. The Customs building, which was located at 6 World Trade Center, and which served as a headquarters for much of the Customs Service's northeast operations, was struck dramatically. It was completely destroyed. All

of the offices were affected. Debris from the Twin Towers completely destroyed the offices of the Customs Service.

Fortunately, or miraculously, all 800 of the Customs Service employees escaped unharmed, 760 employees who worked there permanently, and 40 who were there for meetings. Not one died. Within an hour of the terrorist attacks, the Customs Service placed all of its personnel and facilities on a Level 1 Alert, which of course means enhanced security and questioning of those who are entering the U.S. is put on even greater status, and it also calls for increased inspections of travelers and goods at every port of entry.

Because of the continuing terrorist threat, as of today, the Customs Service remains at Level 1 Alert status. What does that mean? Well, it could mean 12- to 16-hour days. It means virtually all nonemergency leave has been canceled. It means overtime for inspectors tripled, and in some cases, many Customs employees have been temporarily transferred outside of their area to places and assignments such as at our northern border, far away from their families. Many of our Customs employees are still displaced. Within hours of the attack, Customs New York employees set up temporary operation centers at nearby JFK Airport. They are still there. There are many of our Customs employees in New Jersey at Port Elizabeth.

Madam Speaker, I urge my colleagues to provide the support for Customs Service to reestablish its full presence in New York City. If the brave men and women of the Customs Service refused to cower from the challenges which they faced on September 11, we should be willing to help them return to Manhattan where they will again rise to the challenge.

Madam Speaker, our Customs Service personnel, day in and day out, have fought against violence, against terrorism, not just on September 11, but I can recall in December of 1999, it was a Customs inspector who apprehended Ahmed Ressam, a suspected terrorist who was captured at Port Angeles, Washington, and apparently had planned to bomb a terminal at Los Angeles International Airport in my city of Los Angeles in late 1999.

On October 30, 2001, we lost a Customs inspector in the line of duty in Louisiana. A U.S. Customs inspector, Thomas Murray, a 31-year veteran, entered a freighter, but never came out. Apparently, he succumbed to toxin fumes in the hold of the vessel. I offer condolences to his wife and children, his parents and his brothers, and I thank him for giving his life in the service of his country. That is the life of a Customs Service officer. That is what we stand today honoring. We continue to do so because they will not stop.

Madam Speaker, it is great that we are here today recognizing the work of the Customs Service personnel. I am

pleased that both the gentleman from Maryland (Mr. HOYER) and the gentleman from Oklahoma (Mr. ISTOOK) have taken the time to recognize them today.

Madam Speaker, I reserve the balance of my time.

Mr. WELLER. Madam Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on Treasury, Postal Service and General Government, a strong advocate for the Customs Service.

Mr. ISTOOK. Madam Speaker, I rise today to commend and to thank the employees of the United States Customs Service in New York City. These dedicated men and women give new meaning to the term public service. On behalf of all Americans, this resolution says to them, thank you for your steadfast work following the terrorist attacks of last September, steadfast work that continues this day, as it has every day since September 11.

Like a number of other Federal law enforcement agencies, Customs had its principal office in 6 World Trade Center. Thanks to lessons learned from the previous bombing several years prior, they had updated and practiced their evacuation plans. That is fortunate because in large part due to this, none of the more than 750 Customs employees that were there were seriously injured, and none were killed.

However, the emotional pain was very real with them, as with all of America. It continues to this day. Yet these Customs employees more than rose to the occasion. In addition to assisting in the broader search and rescue efforts at the World Trade Center, these men and women were quickly engaged in the investigative efforts to find the responsible parties, and to guard against any additional attacks.

At a time when many Americans were still too stunned or too frightened to leave their homes, these brave officers of the Customs Service continued their role as America's front line on our borders. In fact, many officers worked through the night of September 11. Commercial operations that are so vital to America's economy, involving billions of dollars of trade every day, involving millions of American jobs, these commercial operations were quickly restored, consistent with the security that must exist at our borders.

Special agents immediately joined with fellow law enforcement officers to pursue every lead, and the New York Customs Service laboratory was up and running in temporary quarters less than a week later after the loss of their regular office space.

Today the New York Customs family is scattered through five offices, rather than being combined to one. Commutes are longer, the hours are longer, the time away from the family is greater, and the worries, of course, are many. I want each of the men and women there to know that we understand, as best as anyone not in there with them on a

day-to-day basis can understand, the enormous challenges that they face. We are grateful for their efforts to carry on the very important work that they do for America.

Throughout the country, as in New York, Customs continues on Level 1 Alert. Across the northern border, along the southwest border, at our seaports and our airports, at investigative offices and elsewhere, including overseas, the men and women of Customs stand watch 24 hours a day. Overtime numbers are up. That means time with family, time with friends, time on personal pursuits are down. Stress levels continue to be high, yet the need for careful consideration of each entering person, each item that enters the United States as part of goods and cargoes, the need for careful consideration of each of them has never been higher. The execution in their job has never been better.

Since 1789, Customs has been an integral part of our government. It is America's oldest law enforcement agency. Customs has had many proud moments, but perhaps none more significant than in the past 7 months. The dedication of these men and women reminds me of President Bush's comments last fall in which he thanked all Federal workers. As he stated, "Public service is not simply a noble profession, it is an honorable life. Your service to your country makes the ideal of America a daily, living reality. History has never known a Nation of such strengths and compassion, honor and ideals. Your work and selfless commitment are vital. On behalf of not only a grateful Nation but a world in need of America, thank you."

To these words of President Bush, I join my words of thanks as I know these words are also joined by every Member of this body. I urge all of my colleagues to join in paying special tribute to the remarkable dedication of Customs agents, inspectors and other personnel in New York. Their service, from the most junior employees to the most senior managers, exemplifies the best of our Nation.

Madam Speaker, we recognize their service, and I am thankful for this opportunity to extend that recognition.

□ 1445

Mr. BECERRA. Madam Speaker, I am pleased to yield 7 minutes to the gentleman from Maryland (Mr. HOYER), the ranking member of the Subcommittee on Treasury, Postal Service and General Government of the Committee on Appropriations.

Mr. HOYER. Madam Speaker, I thank my friend, the gentleman from California (Mr. BECERRA), for yielding me this time; I thank the gentleman from Illinois (Mr. WELLER) for facilitating the movement of this resolution to the floor in a timely fashion. And I say to Chairman ISTOOK, I am pleased to join with him in the sponsorship of this resolution.

Madam Speaker, the United States Customs Service has a long and proud

history that dates back over 200 years. It was at its outset, of course, our principal funding agency. It is now one of our principal trade facilitation agencies and law enforcement agencies. To most of us, they are the men and women in blue uniform that process us through international ports of entry. But they do so very much more. With nearly 20,000 employees, the Customs Service collects \$22 billion in revenue each year, it prohibits illegal drugs from crossing our borders, it enforces against illegal trade practices, and prevents individuals with destructive intentions from entering our country, as the gentleman from California (Mr. BECERRA) has cited in his own remarks.

The men and women of the Customs Service are truly on the front line in the war on terrorism. Madam Speaker, the President has correctly said that we ought to recognize those on the front line, in Afghanistan, in Bosnia, in so many other parts of the world; but these men and women are as truly on the front line as those in the services of our Armed Forces. These men and women are in some respects the first line of defense against terrorism coming in from without.

Madam Speaker, I join in the strong support of this resolution to honor the men and women of the United States Customs Service who worked in World Trade Center 6 adjacent to the North Tower. Building 6, World Trade Center, which housed 760 Customs employees, stood only 40 feet from Tower One. Shortly after the collapse of the North and South Towers, the fire proved too much for Building 6, which suffered a devastating internal collapse. By the grace of God and by the exercise of diligence and courage and energy, all 760 employees who worked in that facility escaped the wreckage without injury.

In the wake of such tragedy, these employees were resolute and determined not to let such a despicable and cowardly act of terrorism deter them from protecting our Nation. Since September 11, these employees have worked around the clock to reestablish their physical presence and have played a key role in the Federal Government's investigation of the terrorist acts that occurred on September 11. Customs employees in New York have also played a major role in the volunteer effort to sift through the rubble at Ground Zero and at the Staten Island placement site. The Customs team worked around the clock, through the holidays, through the cold winter weather, all for the purposes of finding some sign of life. Even after the canine teams stopped searching, the Customs employees continued their search, their quest in their hope to find maybe just one, maybe two, maybe more. They knew that the people who lost their lives at the World Trade Center, as they did, had children, had homes, had hopes for their own futures.

To Customs volunteers like Joseph Gloria, Louis Boehner, Stephen Cook, Jack Russo, and Richard Tursi, who

spent so many days and nights searching through heaps and piles of dirt for personal effects of those who lost their lives so that loved ones might have them to remember them by, you are American heroes, as are the 194 other Customs volunteers who devoted their time. America will not forget you. As it will not forget the firefighters and the police who lost their lives that day, we will not forget your efforts that day or every day as you protect America, our commerce, our health, our safety.

Madam Speaker, I also want to mention Joe Webber, who is the special agent in charge of the Customs office in New York. For over 2½ years, the Customs Service has been investigating a Colombian money laundering scheme called Operation Wire Cutter which involved the illegal exchange of drug-based dollars into pesos in Colombia. Following the September 11 attacks, it appeared that 2½ years of investigative material was lost and that that investigation was for naught because the evidence compiled and housed in 6 World Trade Center was not available. Mr. Webber, however, kept the faith. He still thought there was a chance to retrieve the information. A month after the attacks, he convinced fire officials to lower him into the wreckage of World Trade Center 6 to search for the evidence. Fortunately, yes, perhaps miraculously, as the gentleman from California (Mr. BECERRA) said, Mr. Webber was able to find that evidence which led to the seizure of \$8 million and the arrest of several individuals involved in this scheme. The terrorists had lost.

Mr. Webber, we thank you for your determination. You once again proved that terrorism will not, did not, must not defeat our resolve. To all of the Customs employees who worked in World Trade Center 6, we honor you today. We will be there to honor you again next week, but it is significant that 535 of your fellow citizens, sent here by 287 million Americans to represent our country, stand united in thanking you, in honoring you, in respecting you for your service, your hard work, your compassion, your determination. Our Nation owes you a debt of gratitude for the leadership and commitment you showed during a time when our Nation was most vulnerable.

Our national anthem says that we are the land of the free. We are the land of the free because we are the home of the brave and these are some of those brave.

Mr. BECERRA. Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I thank the gentleman for yielding me this time. I also want to commend Chairman ISTOOK and Ranking Member HOYER for their introduction of this important resolution.

"We are the guardians of our Nation's borders, America's front line. We serve and protect the American public with integrity, innovation, and pride.

We enforce the laws of the United States, safeguard the revenue, and foster lawful international trade and travel."

Such is the mission of the U.S. Customs Service, a government agency whose history parallels the history of our country. In 1789 when our new country was struggling to fight off financial ruin, the U.S. Customs Service was created to help save the Nation. On September 11, 2001, when our country was the victim of terrorist attacks of the most horrific magnitude, the U.S. Customs Service was once again there to help save our Nation.

As a member of the House Committee on Government Reform and the ranking member of the Subcommittee on Civil Service and Agency Organization, I am pleased to join with my colleagues in support of House Resolution 385. This measure honors the men and women of the United States Customs Service, 6 World Trade Center offices, for their hard work, commitment, and compassion during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001. It is indeed a fitting tribute for an extraordinary group of Federal Government employees.

On September 11, there were 760 Customs employees at the World Trade Center 6, along with 40 other Customs employees who were there for a meeting. Although their offices were destroyed, Customs employees, at great personal risk, ensured that every one of their coworkers safely exited the building. Just hours after the attack, they established temporary operations at JFK Airport and worked with national, State, and local officials in rescue and recovery efforts. They have helped retrieve evidence which is critical to criminal convictions.

Madam Speaker, tradition, service, honor. That is the U.S. Customs Service legacy and its future. I urge my colleagues to join with me in recognizing the men and women assigned to the United States Customs Service, New York operations, for their dedication to duty and in providing the necessary resources for the U.S. Customs Service to carry out its mission as we know it today, guardians of our borders, protectors of our people.

Mr. BECERRA. Madam Speaker, I yield myself the balance of my time.

I hope this body will recognize that Chairman ISTOOK and Ranking Member HOYER were instrumental in ensuring that the Customs Service received the \$36 million which it needed for up-front reconstruction to enable it to reestablish operations in New York and begin to replace badly needed equipment in a very short period of time. We owe a great deal of gratitude to both of those gentlemen and all the members of the Committee on Appropriations who made that possible.

Further, the congressional support that was offered quickly to the Customs Service provided for overtime funding for inspectors and agents and

was critical in helping them to complete their assignment to battle against terrorism, to patrol our airspace, and to safeguard our coastal waters. This prompt response gave Customs the tools it needed to secure our borders quickly in the face of immediate threat.

To the men and women in Customs, we say, you have earned our respect and you deserve this tribute. I look very much forward to the vote in passing this resolution.

Madam Speaker, I yield back the balance of my time.

Mr. WELLER. Madam Speaker, I yield myself the balance of my time.

I join my colleague on the Committee on Ways and Means, as well as my colleague from California for his statements in recognition of the leadership of Chairman ISTOOK and Ranking Member HOYER in support of the Customs Service. I also want to give recognition to Chairman PHIL CRANE of the Subcommittee on Trade of the House Committee on Ways and Means for his active leadership on behalf of the Customs Service which has jurisdiction under the Committee on Ways and Means.

Madam Speaker, this resolution is important because it honors the men and women of the United States Customs Service, 6 World Trade Center, those offices, for their hard work, their commitment, their compassion and their volunteerism, their volunteerism during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001.

I urge and ask my colleagues in this House to join together in recognition of these workers in the New York Customs Service office and that they give them the recognition they deserve as well as the expression of gratitude of our Nation.

Mr. GILMAN. Madam Speaker, I rise in strong support of H. Res. 385, honoring the men and women of the U.S. Customs Service who were working at 6 World Trade Center for their bravery, commitment, and compassion during and immediately following the terrorist attacks on the World Trade Center on September 11.

On that fateful day in September, the New York field office of the U.S. Customs Service located in 6 World Trade Center was destroyed as a result of the attacks. However, in the face of grave danger, the men and women of the Customs Service were able to ensure the evacuation of over 750 of their fellow coworkers prior to the collapse of their building. Moreover, many remained on the scene to assist rescue workers in their efforts to save the thousands of people working in the World Trade Center complex.

Our Nation witnessed the best and the worst of humanity that terrible day. Accordingly, it is only proper that we recognize and honor these selfless acts of bravery. I urge my fellow colleagues to support this important measure.

Mr. CROWLEY. Madam Speaker, I rise today in support of H. Res. 385, a resolution to honor the men and women of the U.S. Customs Service, New York Office, for their admirable duty and bravery in the service of our

country, and the people of New York, during the terrorist attacks of September 11.

The New York Customs Service was on the front lines on September 11. Their office, located at 6 World Trade Center was evacuated and later destroyed in the towers' collapse.

Despite this, the men and women who work at Customs, a number of whom I am proud to call my constituents, ensured at great personal risk, the safe evacuation of their offices and surrounding offices. They then continued to work with local and national public safety officers to coordinate and assist the search and rescue and later recovery efforts.

The men and women of the Customs Service deserve our utmost thanks and respect for their remarkable service.

But in addition to these proclamations, we need to provide real tangible support for our Customs officials. By that, I mean mandating the return of the Custom's New York Office back to Manhattan.

I have many constituents who work for the Customs Service, and belong to the National Treasury Employees Union 183. We all applaud Customs for quickly relocating these employees, my constituents, to alternative work sites at Kennedy Airport and Newark, NJ. But it is integral for the Nation, for the city and for Customs employees that a new permanent Customs Office is set up in Manhattan.

For the day-to-day officers of the Customs Service, our Nation's primary enforcement agency protecting our borders, this new duty station in New Jersey causes tremendous—and needless—burdens.

In addition, the U.S. Customs Service must have a Manhattan presence. As a life-long New Yorker I am very concerned about the possibility of companies using September 11 as an excuse to flee New York City and I have been working with the city and State to prevent this from happening. As an agency of the Federal Government, the Customs Service should set an example to private companies, and show them that New York is still the greatest city in the world and the capital of international business. By not having an office in Manhattan, the opposite is suggested.

The men and women of the Customs Service helped to alleviate the fears of our country on and right after September 11. It was fear that the terrorists were counting on to defeat us, and precisely what we must not allow to win. Those fears will be further mitigated by the return of businesses to New York City, and the Customs Service must be one office leading the way.

Madam Speaker, in conclusion I thank the efforts of the gentleman from Oklahoma in introducing this measure and allowing this House to pay tribute to these men and women who have done so much to help New Yorkers and the country. I thank you all, and I assure you that we will not forget what you have done.

Mr. WELLER. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Illinois (Mr. WELLER) that the House suspend the rules and agree to the resolution, H. Res. 385.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CONSTITUENT SERVICE REPRESENTATIVE FOR HON. CHARLES F. BASS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Madeline Saulnier, Constituent Service Representative for the Honorable CHARLES F. BASS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 17, 2002.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the District of New Hampshire.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,
MADELINE SAULNIER,
Constituent Service Representative for
Congressman Charles F. Bass of New
Hampshire.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 2 o'clock and 59 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OTTER) at 6 p.m.

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-202)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c) and 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report that my Administration has prepared on the national

emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995.

GEORGE W. BUSH.
THE WHITE HOUSE, April 23, 2002.

KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2002

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3839) to reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keeping Children and Families Safe Act of 2002".

TITLE I—CHILD ABUSE PREVENTION AND RELATED PROGRAMS

Subtitle A—Amendments to the Child Abuse Prevention and Treatment Act

CHAPTER 1—GENERAL PROGRAM

SEC. 101. ADVISORY BOARD ON CHILD ABUSE AND NEGLECT.

Section 102 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5102) is repealed.

SEC. 102. NATIONAL CLEARINGHOUSE FOR INFORMATION RELATING TO CHILD ABUSE.

(a) FUNCTIONS.—Section 103(b)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(b)(1)) is amended by striking "all programs, including private programs, that show promise of success" and inserting "all effective programs, including private programs, that show promise of success and the potential for broad-scale implementation and replication".

(b) COORDINATION WITH AVAILABLE RESOURCES.—Section 103(c)(1) of such Act (42 U.S.C. 5104(c)(1)) is amended—

(1) in subparagraph (E), by striking "and" at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

"(F) collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing, the physical, developmental, and mental health needs of abused and neglected children; and".

SEC. 103. RESEARCH AND ASSISTANCE ACTIVITIES.

(a) RESEARCH.—Section 104(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105(a)) is amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) by redesignating paragraph (1)(D) as paragraph (2) (and redesignating the corresponding items contained therein accordingly) and moving such paragraph two ems to the left;

(3) in paragraph (1)—

(A) in the first sentence of the matter preceding subparagraph (A), by inserting "including longitudinal research," after "interdisciplinary program of research";

(B) in subparagraph (B), by inserting at the end before the semicolon the following: "including the effects of abuse and neglect on a child's development and the identification of successful early intervention services or other services that are needed";

(C) in subparagraph (C)—

(i) by striking “judicial procedures” and inserting “judicial systems, including multidisciplinary, coordinated decisionmaking procedures”; and

(ii) by striking “and” at the end; and

(D) by adding at the end the following:

“(D) the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protective services systems of the States in accordance with paragraphs (1) through (12) of section 106(a);

“(E) effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems;

“(F) an evaluation of the redundancies and gaps in the services in the field of child abuse and neglect prevention in order to make better use of resources; and

“(G) the information on the national incidence of child abuse and neglect specified in subparagraphs (A) through (K) of paragraph (2).”;

(4) in paragraph (2) (as redesignated)—

(A) by striking the matter preceding subparagraph (A) (as redesignated) and inserting “The Secretary shall conduct research on the national incidence of child abuse and neglect, including—”;

(B) in subparagraph (H) (as redesignated), by striking “and” at the end;

(C) by redesignating subparagraph (I) (as redesignated) as subparagraph (J); and

(D) by inserting after subparagraph (H) the following:

“(I) the incidence and prevalence of child maltreatment by reason of family structure, including the living arrangement of the resident parent, family income, and family size; and”;

(5) by inserting after paragraph (2) (as redesignated) the following:

“(3) REPORT.—Not later than 4 years after the date of the enactment of the Keeping Children and Families Safe Act of 2002, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the research conducted under paragraph (2).”;

(6) in paragraph (4) (as redesignated), by amending subparagraph (B) to read as follows:

“(B) The Secretary shall, every two years, provide opportunity for public comment of such proposed priorities and provide for an official record of such public comment.”.

(b) PROVISION OF TECHNICAL ASSISTANCE.—Section 104(b) of such Act (42 U.S.C. 5105(b)) is amended—

(1) in paragraph (1), by inserting “, including replicating successful program models,” after “and carrying out programs and activities”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(D) effective approaches being utilized to link child protective service agencies with health care, mental health care, and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.”.

SEC. 104. GRANTS TO PUBLIC AGENCIES AND NONPROFIT PRIVATE ORGANIZATIONS FOR DEMONSTRATION PROGRAMS AND PROJECTS.

(a) DEMONSTRATION PROGRAMS AND PROJECTS.—Section 105(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)) is amended—

(1) in paragraph (1)—

(A) by striking “and” at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting a semicolon; and

(C) by adding at the end the following:

“(D) for training to support the enhancement of linkages between child protective service agencies and health care agencies, including physical and mental health services, to improve forensic diagnosis and health evaluations and for innovative partnerships between child protective service agencies and health care agencies that offer creative approaches to using existing Federal, State, local, and private funding to meet the health evaluation needs of children who have been subjects of substantiated cases of child abuse or neglect;

“(E) for the training of personnel in best practices to promote collaboration with the families from the initial time of contact during the investigation through treatment; and

“(F) for the training of personnel regarding the legal duties of such personnel.”;

(2) in paragraph (2)—

(A) by striking “(such as Parents Anonymous)”;

(B) by inserting “that incorporate standards and demonstrate effectiveness, and have a shared model of leadership,” after “self-help programs”; and

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) by striking “responding to reports” and inserting “addressing the prevention and treatment”; and

(II) by striking “including” and all that follows through “triage system” and inserting “, including community-based organizations, national entities, collaborative partnerships between State child protective service agencies, statewide child abuse prevention and treatment organizations, law enforcement agencies, substance abuse treatment entities, health care entities, domestic violence prevention entities, mental health services entities, developmental disability agencies, community social service agencies, family support programs, schools, religious organizations, and other entities to allow for the establishment of a triage system”; and

(ii) in clause (iii), by striking “child’s safety is in jeopardy” and inserting “child’s safety and health are in jeopardy”; and

(B) by adding at the end the following:

“(D) LINKAGES BETWEEN CHILD PROTECTIVE SERVICE AGENCIES AND PUBLIC HEALTH, MENTAL HEALTH, AND DEVELOPMENTAL DISABILITIES AGENCIES.—The Secretary may award grants to entities that provide linkages between State or local child protective service agencies and public health, mental health, and developmental disabilities agencies, for the purpose of establishing linkages that are designed to help assure that a greater number of substantiated victims of child maltreatment have their physical health, mental health, and developmental needs appropriately diagnosed and treated.”.

(b) DISCRETIONARY GRANTS.—Section 105(b) of such Act (42 U.S.C. 5106(b)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) Programs based within children’s hospitals, or other pediatric and adolescent care

facilities, that provide model approaches for improving medical diagnosis of child abuse and neglect and for health evaluations of children for whom a report of maltreatment has been substantiated.”.

(c) EVALUATION.—Section 105(c) of such Act (42 U.S.C. 5106(c)) is amended—

(1) in the second sentence, by inserting “or contract” after “or as a separate grant”; and

(2) by adding at the end the following: “In the case of an evaluation performed by the recipient of a demonstration grant, the Secretary shall make available technical assistance for the evaluation, where needed, to ensure a rigorous application of scientific evaluation techniques.”.

SEC. 105. GRANTS TO STATES FOR CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAMS.

(a) DEVELOPMENT AND OPERATION GRANTS.—Section 106(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(a)) is amended—

(1) in paragraph (3)—

(A) by inserting “, including ongoing case monitoring,” after “case management”; and

(B) by inserting “and treatment” after “and delivery of services”;

(2) in paragraph (4)—

(A) by striking “automation” and inserting “management information and technology”; and

(B) by adding at the end before the semicolon the following: “, including to support the ability of States to collect information for the National Child Abuse and Neglect Data System”;

(3) in paragraph (5), by adding at the end before the semicolon the following: “, including training regarding best practices to promote collaboration with the families and the legal duties of such individuals”;

(4) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively;

(5) by inserting after paragraph (5) the following:

“(6) improving the skills, qualifications, and availability of individuals providing services to children and families, and the supervisors of such individuals, through the child protection system, including improvements in the recruitment and retention of caseworkers”;

(6) by redesignating paragraphs (8) through (10) (as redesignated) as paragraphs (9) through (11), respectively;

(7) by inserting after paragraph (7) the following:

“(8) developing and delivering information to improve public education relating to the role and responsibilities of the child protection system and the nature and basis for reporting suspected incidents of child abuse and neglect”;

(8) by striking “or” at the end of paragraph (10) (as redesignated);

(9) by redesignating paragraph (11) (as redesignated) as paragraph (12);

(10) by inserting after paragraph (10) the following:

“(11) promoting partnerships between public agencies and community-based organizations to provide child abuse and neglect prevention and treatment services, including linkages with education systems and health care systems (including mental health systems);”;

(11) by striking the period at the end of paragraph (12) (as redesignated) and inserting a semicolon; and

(12) by adding at the end the following:

“(13) supporting and enhancing interagency collaboration between the child protection system and the juvenile justice system for improved delivery of services and treatment, including methods for continuity

of treatment plan and services as children transition between systems; or

“(14) supporting and enhancing collaboration among public health agencies, the child protection system, and private community-based programs to address the health needs of children identified as abused or neglected, including supporting prompt, comprehensive health and developmental evaluations for children who are the subject of substantiated child maltreatment reports.”.

(b) ELIGIBILITY REQUIREMENTS.—

(1) STATE PLAN.—Section 106(b)(1)(B) of such Act (42 U.S.C. 5106(b)(1)(B)) is amended—

(A) by striking “provide notice to the Secretary of any substantive changes” and inserting the following: “provide notice to the Secretary of—

“(i) any substantive changes”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(ii) any significant changes to how funds provided under this section are used to support the activities which may differ from the activities as described in the current State application.”.

(2) COORDINATION.—Section 106(b)(2)(A) of such Act (42 U.S.C. 5106a(b)(2)(A)) is amended—

(A) by redesignating clauses (ii) through (xiii) as clauses (iii) through (xiv), respectively;

(B) by inserting after clause (i) the following:

“(ii) policies and procedures to address the needs of infants born and identified with fetal alcohol effects, fetal alcohol syndrome, neonatal intoxication or withdrawal syndrome, or neonatal physical or neurological harm resulting from prenatal drug exposure, including—

“(I) the requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition in such infants, except that such notification shall not be construed to create a definition under Federal law of what constitutes child abuse and such notification shall not be construed to require prosecution for any illegal action; and

“(II) the development of a plan of safe care for the infant under which consideration may be given to providing the mother with health services (including mental health services), social services, parenting services, and substance abuse prevention and treatment counseling and to providing the infant with referral to the statewide early intervention program funded under part C of the Individuals with Disabilities Education Act for an evaluation for the need for services provided under part C of such Act.”;

(C) by redesignating clauses (vi) through (xiv) (as redesignated) as clauses (vii) through (xv), respectively;

(D) by inserting after clause (v) (as redesignated) the following:

“(vi) provisions to require a State to disclose confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect”;

(E) in clause (vii)(II) (as redesignated), by striking “, having a need for such information” and all that follows through “abuse and neglect” and inserting “as described in clause (vi)”;

(F) in clause (xiii) (as redesignated), by striking “to be effective not later than 2 years after the date of the enactment of this section”;

(G) in clause (xiv) (as redesignated)—

(i) in the matter preceding subclause (I), by striking “to be effective not later than 2 years after the date of the enactment of this section”;

(ii) in subclause (IV), by striking “and” at the end;

(H) in clause (xv) (as redesignated), by striking “clause (xii)” each place it appears and inserting “clause (xiv)”;

(I) by adding at the end the following:

“(xvi) provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the individual making the report of the alleged child abuse or neglect;

“(xvii) provisions addressing the training of representatives of the child protective services system regarding their legal duties, which may consist of procedures to inform such representatives of such duties, in order to protect the legal rights of children and families from the initial time of contact during the investigation through treatment;

“(xviii) provisions and procedures for improving the training, retention, and supervision of caseworkers; and

“(xix) provisions and procedures for referral of a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to the statewide early intervention program funded under part C of the Individuals with Disabilities Education Act for an evaluation for the need of services provided under part C of such Act.”.

(3) LIMITATION.—Section 106(b)(3) of such Act (42 U.S.C. 5106a(b)(3)) is amended by striking “With regard to clauses (v) and (vi) of paragraph (2)(A)” and inserting “With regard to clauses (vi) and (vii) of paragraph (2)(A)”.

(c) CITIZEN REVIEW PANELS; REPORTS.—Section 106(c) of such Act (42 U.S.C. 5106a(c)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking “policies and procedures” and inserting “policies, procedures, and practices”;

(B) by adding at the end the following:

“(C) PUBLIC OUTREACH.—Each panel shall provide for public outreach and comment in order to assess the impact of current procedures and practices upon children and families in the community and in order to meet its obligations under subparagraph (A).”; and

(2) in paragraph (6), by inserting “State and” before “public”.

(d) ANNUAL STATE DATA REPORTS.—Section 106(d) of such Act (42 U.S.C. 5106a(d)) is amended by adding at the end the following:

“(13) The annual report containing the summary of the activities of the citizen review panels of the State required by subsection (c)(6).

“(14) The number of children under the care of the State child protection system transferred into the custody of the State juvenile justice system.”.

SEC. 106. GRANTS TO STATES FOR PROGRAMS RELATING TO THE INVESTIGATION AND PROSECUTION OF CHILD ABUSE AND NEGLECT CASES.

Section 107(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106c(a)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(4) the handling of cases involving children with disabilities or serious health-related problems who are victims of abuse or neglect.”.

SEC. 107. MISCELLANEOUS REQUIREMENTS RELATING TO ASSISTANCE.

Section 108 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106d) is amended by adding at the end the following:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should encourage all States and public and private agencies or organizations that receive assistance under this title to ensure that children and families with limited English proficiency who participate in programs under this title are provided materials and services under such programs in an appropriate language other than English.”.

SEC. 108. REPORTS.

Section 110 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106f) is amended by adding at the end the following:

“(c) STUDY AND REPORT RELATING TO CITIZEN REVIEW PANELS.—

“(1) STUDY.—The Secretary shall conduct a study by random sample on the effectiveness of the citizen review panels established under section 106(c).

“(2) REPORT.—Not later than 3 years after the date of the enactment of Keeping Children and Families Safe Act of 2002, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the study conducted under paragraph (1).”.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 112(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h(a)(1)) is amended to read as follows:

“(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to carry out this title \$120,000,000 for fiscal year 2003 and such sums as may be necessary for each of the fiscal years 2004 through 2007.”.

(b) DEMONSTRATION PROJECTS.—Section 112(a)(2)(B) of such Act (42 U.S.C. 5106h(a)(2)(B)) is amended by striking “Secretary make” and inserting “Secretary shall make”.

CHAPTER 2—COMMUNITY-BASED FAMILY RESOURCE AND SUPPORT GRANTS

SEC. 111. PURPOSE AND AUTHORITY.

(a) PURPOSE.—Section 201(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(a)(1)) is amended—

(1) by striking “prevention-focused.”;

(2) by inserting “for the prevention of child abuse and neglect” after “family resource and support programs”.

(b) AUTHORITY.—Section 201(b) of such Act (42 U.S.C. 5116(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “prevention-focused.”;

(ii) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”;

(B) in subparagraph (F), by striking “and” at the end; and

(C) by striking subparagraph (G) and inserting the following:

“(G) demonstrate a commitment to meaningful parent leadership, including among parents of children with disabilities, parents with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups;

“(H) provide referrals to early health and developmental services; or

“(I) are accessible, effective, culturally appropriate, developmentally appropriate, and built upon existing strengths”;

(2) in paragraph (4)—

(A) by inserting “through leveraging of funds” after “maximizing funding”;

(B) by striking “prevention-focused,”; and
(C) by striking “family resource and support program” and inserting “family support programs for the prevention of child abuse and neglect”.

SEC. 112. ELIGIBILITY.

Section 202 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116a) is amended—

- (1) in paragraph (1)—
- (A) in subparagraph (A)—
- (i) by striking “prevention-focused,”;
- (ii) by striking “family resource and support programs,” and inserting “family support programs for the prevention of”; and
- (iii) by striking “prevention activities”; and

(B) in subparagraph (B), by inserting “that exists to strengthen and support families for purposes of preventing child abuse and neglect and” after “written authority of the State”;

(2) in paragraph (2)(A)—

- (A) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”; and

(B) by adding at the end before the semicolon the following: “and parents with disabilities”; and

(3) in paragraph (3)—

- (A) by striking “prevention-focused,” each place it appears;

(B) by striking “family resource and support programs” each place it appears and inserting “family support programs for the prevention of child abuse and neglect”;

(C) in subparagraph (C), by striking “and technical assistance,” and inserting “, technical assistance, and evaluation assistance”; and

(D) in subparagraph (D), by inserting “, parents with disabilities,” after “children with disabilities”.

SEC. 113. AMOUNT OF GRANT.

Section 203(b)(1)(B) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116b(b)(1)(B)) is amended—

(1) by striking “as the amount leveraged by the State from private, State, or other non-Federal sources and directed through the” and inserting “as the amount of private, State or other non-Federal funds leveraged and directed through the currently designated”; and

(2) by striking “the lead agency” and inserting “the current lead agency”.

SEC. 114. EXISTING GRANTS.

Section 204 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5115c) is repealed.

SEC. 115. APPLICATION.

Section 205 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116d) is amended—

(1) in paragraphs (1), (2), (4), (8), and (9)—

- (A) by striking “prevention-focused,” each place it appears; and

(B) by striking “family resource and support programs” each place it appears and inserting “family support programs for the prevention of child abuse and neglect”;

(2) in paragraph (2), by striking “family resource and support services” and inserting “family support services”;

(3) in paragraph (3)—

(A) by striking “an assurance that an inventory of” and inserting “a description of the inventory of current unmet needs,”;

(B) by striking “family resource programs” and inserting “family support programs”;

(C) by striking “, respite care, child abuse and neglect prevention activities,” and inserting “for the prevention of child abuse and neglect, including respite care”; and

(D) by striking “, will be provided”;

(4) in paragraph (5)—

(A) by inserting “start-up, maintenance, expansion, and redesigning” after “other State and local public funds designated for”;
(B) by striking “prevention-focused,”; and

(C) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”;

(5) in paragraph (7), by striking “individual community-based, prevention-focused, family resource and support programs” and inserting “child abuse and neglect prevention programs that are community-based, including family support programs”; and

(6) in paragraph (11)—

(A) by striking “prevention-focused,”; and

(B) by striking “family resource and support program services” and inserting “family support program services for the prevention of child abuse and neglect”.

SEC. 116. LOCAL PROGRAM REQUIREMENTS.

Section 206(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116e(a)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting “, network,” after “expand”;

(B) by striking “prevention-focused,”; and

(C) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”;

(2) in paragraph (3)(A)—

(A) in the matter preceding clause (i), by striking “family resource and support services” and inserting “family support services for the prevention of child abuse and neglect”;

(B) in clause (iii), by striking “and” at the end; and

(C) by adding at the end the following:

“(v) respite care;

“(vi) home visiting; and

“(vii) family support services.”; and

(3) in paragraph (6)—

(A) by striking “prevention-focused,”; and

(B) by striking “family resource and support program” and inserting “family support programs for the prevention of child abuse and neglect”.

SEC. 117. PERFORMANCE MEASURES.

Section 207 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116f) is amended—

(1) in paragraph (1)—

(A) by striking “prevention-focused,”; and

(B) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”;

(2) in paragraph (2), by striking “, including” and all that follows through “section 202” and inserting “, such as the services described in section 206(a)(3)(A)”;

(3) in paragraph (3), by striking “of new respite care and other specific new family resources services, and the expansion of existing services,” and inserting “and the maintenance, enhancement, or expansion of existing services such as those described in section 206(a)(3)(A),”; and

(4) in paragraph (4)—

(A) by inserting “and parents with disabilities,” after “children with disabilities,”;

(B) by striking “evaluation of” the first place it appears and all that follows through “under this title” and inserting “evaluation of community-based child abuse and neglect prevention programs”; and

(5) in paragraphs (5), (6), and (8)—

(A) by striking “prevention-focused,” each place it appears; and

(B) by striking “family resource and support programs” each place it appears and inserting “family support programs for the prevention of child abuse and neglect”.

SEC. 118. NATIONAL NETWORK FOR COMMUNITY-BASED FAMILY RESOURCE PROGRAMS.

Section 208(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116g(3)) is amended—

(1) by striking “prevention-focused,”; and

(2) by striking “family resource and support programs” and inserting “family support programs for the prevention of child abuse and neglect”.

SEC. 119. DEFINITIONS.

(a) CHILDREN WITH DISABILITIES.—Section 209(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h(1)) is amended by striking “given such term in section 602(a)(2)” and inserting “given the term ‘child with a disability’ in section 602(3)”.

(b) FAMILY RESOURCE AND SUPPORT PROGRAM.—Section 209(3) of such Act (42 U.S.C. 5116h(3)) is amended—

(1) in the matter preceding subparagraph (A), by striking “, prevention-focused”;

(2) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “core services” and inserting “core child abuse and neglect prevention services”;

(B) in clause (i)—

(i) by striking “, together with services”;

(ii) by striking “equality and respect, and” and inserting “equality and respect that are”; and

(iii) by inserting at the end before the semicolon the following: “in order to prevent child abuse and neglect”; and

(C) in clause (ii), by striking “to one another” and inserting “for support of one another”; and

(3) in subparagraph (C)(iii), by striking “scholastic” and inserting “academic”.

SEC. 120. AUTHORIZATION OF APPROPRIATIONS.

Section 210 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116i) is amended to read as follows:

“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title \$80,000,000 for fiscal year 2003 and such sums as may be necessary for each of the fiscal years 2004 through 2007.”.

CHAPTER 3—TECHNICAL AND CONFORMING AMENDMENTS; REDESIGNATIONS

SEC. 121. TECHNICAL AND CONFORMING AMENDMENTS.

(a) FINDINGS.—Section 2(3)(D) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note) is amended by striking “ensures properly trained and support staff with specialized knowledge,” and inserting “ensures staff have proper training and specialized knowledge”.

(b) TITLE I.—Title I of such Act (42 U.S.C. 5101 et seq.) is amended as follows:

(1) In section 104(d)(1), by striking “federal agencies” and inserting “Federal agencies”.

(2) In section 105(b), in the matter preceding paragraph (1), by striking “subsection (b)” and inserting “subsection (a)”.

(3) In section 106(b)(2)—

(A) in subparagraph (A), by striking “Statewide program” and inserting “statewide program”; and

(B) in subparagraph (B)(iii), by striking “life threatening” and inserting “life-threatening”.

(4) In section 107(e)(1)(B), by striking “improve the rate” and all that follows through “child sexual abuse cases” and inserting the following: “improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children”.

(5) By redesignating sections 103 through 113 as sections 102 through 112, respectively.

(c) TITLE II.—Title II of such Act (42 U.S.C. 5116 et seq.) is amended as follows:

(1) In paragraphs (1) and (4) of section 201(b), paragraphs (1)(A), (3)(A), (3)(B), and (3)(C) of section 202, paragraphs (1) and (5) of section 205, section 206(a)(6), paragraphs (1) and (6) of section 207, and section 208(3), by striking “Statewide” each place it appears and inserting “statewide”.

(2) In section 205, by redesignating paragraph (13) as paragraph (12).

(3) In section 207(8), by striking “community based” and inserting “community-based”.

(4) By redesignating sections 205 through 210 as sections 204 through 209, respectively.

SEC. 122. REDESIGNATIONS.

(a) REDESIGNATIONS.—

(1) TITLE I.—(A) Title I of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is amended by striking the heading for such title and inserting the following:

“Subtitle A—General Program”.

(B) Sections 101 through 112 of such Act (as redesignated) are further redesignated as sections 111 through 122, respectively.

(2) TITLE II.—(A) Title II of such Act is amended by striking the heading for such title and inserting the following:

“Subtitle B—Community-Based Family Support Grants for the Prevention of Child Abuse and Neglect”.

(B) Sections 201 through 209 of such Act (as redesignated) are further redesignated as sections 131 through 139, respectively.

(b) CONFORMING AMENDMENTS.—

(1) TITLE HEADING.—The Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is amended by inserting before section 1 the following:

“TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT”.

(2) SHORT TITLE; TABLE OF CONTENTS; FINDINGS.—(A) Section 1 of such Act (42 U.S.C. 5101 note) is amended to read as follows:

“SEC. 101. SHORT TITLE.

“This title may be cited as the ‘Child Abuse Prevention and Treatment Act.’”.

(B) Section 2 of such Act (42 U.S.C. 5101 note) is redesignated as section 102.

(3) SUBTITLE A.—Subtitle A of title I of such Act (as redesignated) by subsection (a)(1) is amended as follows:

(A) In section 111(b) (as redesignated), by striking “this Act” and inserting “this title” in the first sentence.

(B) In section 112(c)(1)(E) (as redesignated), by striking “section 105(a)” and inserting “section 113(a)”.

(C) In section 113(b)(2)(C) (as redesignated), by striking “titles I and II” and inserting “this subtitle and subtitle B”.

(D) In section 115(b)(2)(A)(vii) (as redesignated), by striking “Act” and inserting “title”.

(E) In section 116(b)(1) (as redesignated), by striking “section 107(b)” and inserting “section 115(b)”.

(F) In section 117 (as redesignated), by striking “this Act” each place it appears and inserting “this title”.

(G) In section 118 (as redesignated), by striking “this Act” and inserting “this title”.

(H) In section 119(b) (as redesignated), by striking “section 107” and inserting “section 116”.

(I) In section 120 (as redesignated), by striking “this title” and inserting “this subtitle”.

(J) In section 121 (as redesignated)—

(i) by striking “this title” each place it appears and inserting “this subtitle”; and

(ii) in subsection (a)(2)(B), by striking “section 106” and inserting “section 115”.

(K) In section 122(a) (as redesignated), by striking “this Act” and inserting “this title”.

(4) SUBTITLE B.—Subtitle B of title I of such Act (as redesignated) by subsection (a)(2) is amended as follows:

(A) In section 131 (as redesignated)—

(i) by striking “this title” each place it appears and inserting “this subtitle”; and

(ii) in subsection (b)—

(I) in the matter preceding paragraph (1), by striking “section 202(1)” and inserting “section 132(1)”; and

(II) in paragraph (3), by striking “section 205(a)(3)” and inserting “section 134(a)(3)”.

(B) In section 132 (as redesignated)—

(i) by striking “this title” each place it appears and inserting “this subtitle”; and

(ii) in paragraph (1)(D) by striking “such title” and inserting “such subtitle”.

(C) In section 133 (as redesignated), by striking “section 210” each place it appears and inserting “section 139”.

(D) In section 134 (as redesignated)—

(i) by striking “this title” each place it appears and inserting “this subtitle”; and

(ii) by striking “section 202” each place it appears and inserting “section 132”; and

(iii) in paragraph (2), by striking “this Act” and inserting “this title”.

(E) In section 135 (as redesignated), by striking “this title” each place it appears and inserting “this subtitle”.

(F) In section 136 (as redesignated)—

(i) by striking “this title” each place it appears and inserting “this subtitle”; and

(ii) in paragraph (2), by striking “section 206(a)(3)(A)” and inserting “section 135(a)(3)(A)”; and

(iii) in paragraph (3)—

(I) by striking “section 206(a)(3)(A)” and inserting “section 135(a)(3)(A)”; and

(II) by striking “section 205(3)” and inserting “section 134(3)”.

(G) In section 139 (as redesignated), by striking “this title” and inserting “this subtitle”.

Subtitle B—Amendments to Other Child Abuse Prevention and Related Programs

CHAPTER 1—CHILD ABUSE PREVENTION AND TREATMENT AND ADOPTION REFORM ACT OF 1978

SEC. 131. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

Section 201(a) of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111(a)) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2)—

(A) by striking “increasingly”; and

(B) by striking “which” and inserting “that”;

(3) by amending paragraph (3) to read as follows:

“(3) many such children have special needs because they are born to mothers who did not receive prenatal care, are born with life-threatening conditions or disabilities, are born addicted to alcohol and other drugs, or have been exposed to infection with the etiologic agent for the human immunodeficiency virus;”;

(4) in paragraph (4)—

(A) by striking “the welfare of” and inserting “each year”; and

(B) by striking “in institutions and foster homes and disabled infants with life-threatening conditions may be in serious jeopardy and some such children”;

(5) in paragraph (5), by striking “thousands of”;

(6) by striking paragraph (6);

(7) in paragraph (7)—

(A) in subparagraph (A)—

(i) by striking “40,000”;

(ii) by inserting “of all races and ages” after “children”; and

(iii) by adding “and” at the end;

(B) in subparagraph (B), by striking “and” at the end; and

(C) by striking subparagraph (C); and

(8) by redesignating paragraphs (2), (3), (4), (5), (7), (8), (9), and (10) as paragraphs (1) through (8), respectively.

SEC. 132. INFORMATION AND SERVICES.

Section 203 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended—

(1) by striking the section heading and inserting the following:

“SEC. 203. INFORMATION AND SERVICES.”;

(2) by striking “SEC. 203. (a) The Secretary” and inserting the following:

“(a) IN GENERAL.—The Secretary”;

(3) in subsection (b), by inserting “REQUIRED ACTIVITIES.—” after “(b)”;

(4) in subsection (c)—

(A) by striking “(c)(1) The Secretary” and inserting the following:

“(c) SERVICES FOR FAMILIES ADOPTING SPECIAL NEEDS CHILDREN.—

“(1) IN GENERAL.—The Secretary”;

(B) by striking “(2) Services” and inserting the following:

“(2) SERVICES.—Services”; and

(C) in paragraph (2)—

(i) by moving subparagraphs (A) through (G) 2 ems to the right;

(ii) in subparagraph (F), by striking “and” at the end;

(iii) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(H) day treatment; and

“(I) respite care.”; and

(5) in subsection (d)—

(A) in paragraph (1), by striking “component which” and inserting “component that”;

(B) by striking “(d)(1) The Secretary” and inserting the following:

“(d) IMPROVING PLACEMENT RATE OF CHILDREN IN FOSTER CARE.—

“(1) IN GENERAL.—The Secretary”;

(C) by striking “(2)(A) Each State” and inserting the following:

“(2) APPLICATIONS; TECHNICAL AND OTHER ASSISTANCE.—

“(A) APPLICATIONS.—Each State”;

(D) by striking “(B) The Secretary” and inserting the following:

“(B) TECHNICAL AND OTHER ASSISTANCE.—The Secretary”;

(E) in paragraph (2)(B), by moving clauses (i) and (ii) 4 ems to the right;

(F) by striking “(3)(A) Payments” and inserting the following:

“(3) PAYMENTS.—

“(A) IN GENERAL.—Payments”; and

(G) by striking “(B) Any payment” and inserting the following:

“(B) REVERSION OF UNUSED FUNDS.—Any payment”.

SEC. 133. STUDY AND REPORT ON DYNAMICS OF SUCCESSFUL ADOPTION.

Section 204 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5114) is amended to read as follows:

“SEC. 204. STUDY AND REPORT ON DYNAMICS OF SUCCESSFUL ADOPTION.

“The Secretary shall conduct research (directly or by grant to, or contract with, public or private nonprofit research agencies or organizations) about adoption outcomes and the factors affecting those outcomes. The Secretary shall submit a report containing the results of such research to the appropriate committees of the Congress not later than the date that is 36 months after the date of the enactment of the Keeping Children and Families Safe Act of 2002.”.

SEC. 134. AUTHORIZATION OF APPROPRIATIONS.

Section 205 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5115) is amended—

(1) by striking the section heading and inserting the following:

“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.”;

(2) by striking “SEC. 205.”;

(3) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—There are authorized to be appropriated \$40,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2007 to carry out programs and activities authorized under this subtitle.”; and

(4) in subsection (b), by inserting “AVAILABILITY.” after “(b)”.

SEC. 135. TRANSFER AND REDESIGNATIONS; CONFORMING AMENDMENTS.

(a) IN GENERAL.—Title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111 et seq.)—

(1) is amended by striking the title heading;

(2) is transferred to the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), as amended by subtitle A of this title; and

(3) is redesignated as subtitle A of title II of such Act.

(b) CONFORMING AMENDMENTS.—

(1) TITLE AND SUBTITLE HEADINGS; SHORT TITLE.—The Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), as amended, is further amended—

(A) by redesignating section 201 as section 202; and

(B) by inserting after title I of such Act the following:

“TITLE II—OTHER CHILD ABUSE PREVENTION AND RELATED PROGRAMS**“Subtitle A—Adoption Opportunities****“SEC. 201. SHORT TITLE.**

“This subtitle may be cited as the ‘Adoption Opportunities Act of 2002.’”

(2) TITLE REFERENCES.—Subtitle A of title II of such Act is amended by striking “this title” each place such term appears and inserting “this subtitle”.

CHAPTER 2—ABANDONED INFANTS ASSISTANCE ACT OF 1988**SEC. 141. FINDINGS.**

Section 2 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2)—

(A) by inserting “studies indicate that a number of factors contribute to” before “the inability of”;

(B) by inserting “some” after “inability of”;

(C) by striking “who abuse drugs”; and

(D) by striking “care for such infants” and inserting “care for their infants”;

(3) by amending paragraph (5) to read as follows:

“(5) appropriate training is needed for personnel working with infants and young children with life-threatening conditions and other special needs, including those who are infected with the human immunodeficiency virus (commonly known as ‘HIV’), those who have acquired immune deficiency syndrome (commonly known as ‘AIDS’), and those who have been exposed to dangerous drugs;”;

(4) by striking paragraphs (6) and (7);

(5) in paragraph (8), by inserting “by parents abusing drugs,” after “deficiency syndrome,”;

(6) in paragraph (9), by striking “comprehensive services” and all that follows through the semicolon at the end and insert-

ing “comprehensive support services for such infants and young children and their families and services to prevent the abandonment of such infants and young children, including foster care services, case management services, family support services, respite and crisis intervention services, counseling services, and group residential home services; and”;

(7) by striking paragraph (10);

(8) by amending paragraph (11) to read as follows:

“(11) Private, Federal, State, and local resources should be coordinated to establish and maintain such services and to ensure the optimal use of all such resources.”; and

(9) by redesignating paragraphs (2), (3), (4), (5), (8), (9), and (11) as paragraphs (1) through (7), respectively.

SEC. 142. ESTABLISHMENT OF LOCAL PROGRAMS.

Section 101 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by striking the section heading and inserting the following:

“SEC. 101. ESTABLISHMENT OF LOCAL PROGRAMS.”; and

(2) by amending subsection (b) to read as follows:

“(b) PRIORITY IN PROVISION OF SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to give priority to abandoned infants and young children who—

“(1) are infected with, or have been perinatally exposed to, the human immunodeficiency virus, or have a life-threatening illness or other special medical need; or

“(2) have been perinatally exposed to a dangerous drug.”.

SEC. 143. EVALUATIONS, STUDY, AND REPORTS BY SECRETARY.

Section 102 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended to read as follows:

“SEC. 102. EVALUATIONS, STUDY, AND REPORTS BY SECRETARY.

“(a) EVALUATIONS OF LOCAL PROGRAMS.—The Secretary shall, directly or through contracts with public and nonprofit private entities, provide for evaluations of projects carried out under section 101 and for the dissemination of information developed as a result of such projects.

“(b) STUDY AND REPORT ON NUMBER OF ABANDONED INFANTS AND YOUNG CHILDREN.—

“(1) IN GENERAL.—The Secretary shall conduct a study for the purpose of determining—

“(A) an estimate of the annual number of infants and young children relinquished, abandoned, or found dead in the United States and the number of such infants and young children who are infants and young children described in section 223(b);

“(B) an estimate of the annual number of infants and young children who are victims of homicide;

“(C) characteristics and demographics of parents who have abandoned an infant within 1 year of the infant’s birth; and

“(D) an estimate of the annual costs incurred by the Federal Government and by State and local governments in providing housing and care for abandoned infants and young children.

“(2) DEADLINE.—Not later than 36 months after the date of the enactment of the Keeping Children and Families Safe Act of 2002, the Secretary shall complete the study required under paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

“(c) EVALUATION.—The Secretary shall evaluate and report on effective methods of intervening before the abandonment of an infant or young child so as to prevent such

abandonments, and effective methods for responding to the needs of abandoned infants and young children.”.

SEC. 144. AUTHORIZATION OF APPROPRIATIONS.

Section 104 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—

“(1) AUTHORIZATION.—For the purpose of carrying out this subtitle, there are authorized to be appropriated \$45,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2007.

“(2) LIMITATION.—Not more than 5 percent of the amounts appropriate under paragraph (1) for any fiscal year may be obligated for carrying out section 224(a).”;

(2) by striking subsection (b);

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “AUTHORIZATION.—” after “(1)”; and

(ii) by striking “this title” and inserting “this subtitle”; and

(B) in paragraph (2)—

(i) by inserting “LIMITATION.—” after “(2)”; and

(ii) by striking “fiscal year 1991.” and inserting “fiscal year 2002.”; and

(4) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 145. OTHER TECHNICAL AND CONFORMING AMENDMENTS; TRANSFER AND REDESIGNATIONS.

(a) TECHNICAL AMENDMENTS.—

(1) STRIKING TITLES; CONSOLIDATING DEFINITIONS.—The Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(A) by striking the title heading for title I;

(B) by striking titles II and III; and

(C) by amending section 103 to read as follows:

“SEC. 103. DEFINITIONS.

“For purposes of this subtitle:

“(1) The terms ‘abandoned’ and ‘abandonment’, with respect to infants and young children, mean that the infants and young children are medically cleared for discharge from acute-care hospital settings, but remain hospitalized because of a lack of appropriate out-of-hospital placement alternatives.

“(2) The term ‘acquired immune deficiency syndrome’ includes infection with the etiologic agent for such syndrome, any condition indicating that an individual is infected with such etiologic agent, and any condition arising from such etiologic agent.

“(3) The term ‘dangerous drug’ means a controlled substance, as defined in section 102 of the Controlled Substances Act.

“(4) The term ‘natural family’ shall be broadly interpreted to include natural parents, grandparents, family members, guardians, children residing in the household, and individuals residing in the household on a continuing basis who are in a care-giving situation with respect to infants and young children covered under this subtitle.

“(5) The term ‘Secretary’ means the Secretary of Health and Human Services.”.

(2) ESTABLISHMENT OF LOCAL PROGRAMS.—Section 101(d) of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(A) in paragraph (1)—

(i) by striking “(1) The Secretary” and inserting “(1) IN GENERAL.—The Secretary”; and

(ii) in subparagraph (D), by striking “during the majority of the 180-day period preceding the date of the enactment of this Act,” and inserting “during the majority of the 180-day period preceding the date of the enactment of the Keeping Children and Families Safe Act of 2002.”; and

(B) in paragraph (2), by striking “(2) Subject” and inserting “(2) DURATION OF GRANTS.—Subject”.

(b) TRANSFER AND REDESIGNATIONS.—

(1) IN GENERAL.—The Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note)—

(A) is amended by striking section 1;

(B) is transferred to the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), as amended; and

(C) is redesignated as subtitle B of title II of such Act.

(2) CONFORMING AMENDMENTS.—

(A) SUBTITLE HEADING; SHORT TITLE.—Title II of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is amended by inserting after subtitle A of such title the following:

“Subtitle B—Abandoned Infants Assistance

“SEC. 221. SHORT TITLE.

“This subtitle may be cited as the ‘Abandoned Infants Assistance Act of 2002’.”.

(B) REDESIGNATIONS.—Subtitle B of title II of such Act is amended by redesignating sections 2, 101, 102, 103, and 104 as sections 222 through 226, respectively.

(C) DOMESTIC VOLUNTEER SERVICE.—Section 421(f) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061(7)) is amended by striking “section 103 of the Abandoned Infants Assistance Act of 1988 (Public Law 100–505; 42 U.S.C. 670 note);” and inserting “section 225(l) of the Abandoned Infants Assistance Act of 2002;”.

Subtitle C—Technical and Conforming Amendments

SEC. 151. SHORT TITLE; TABLE OF CONTENTS.

The Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), as amended by subtitles A and B, is further amended by inserting before title I the following:

“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

“(a) SHORT TITLE.—This Act may be cited as the ‘Keeping Children and Families Safe Act’.

“(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

“Sec. 1. Short title; table of contents.

“TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

“Sec. 101. Short title.

“Sec. 102. Findings.

“Subtitle A—General Program

“Sec. 111. Office on Child Abuse and Neglect.

“Sec. 112. National clearinghouse for information relating to child abuse.

“Sec. 113. Research and assistance activities.

“Sec. 114. Grants to public agencies and nonprofit private organizations for demonstration programs and projects.

“Sec. 115. Grants to States for child abuse and neglect prevention and treatment programs.

“Sec. 116. Grants to States for programs relating to the investigation and prosecution of child abuse and neglect cases.

“Sec. 117. Miscellaneous requirements relating to assistance.

“Sec. 118. Coordination of child abuse and neglect programs.

“Sec. 119. Reports.

“Sec. 120. Definitions.

“Sec. 121. Authorization of appropriations.

“Sec. 122. Rule of construction.

“Subtitle B—Community-Based Family Support Grants for the Prevention of Child Abuse and Neglect

“Sec. 131. Purpose and authority.

“Sec. 132. Eligibility.

“Sec. 133. Amount of grant.

“Sec. 134. Application.

“Sec. 135. Local program requirements.

“Sec. 136. Performance measures.

“Sec. 137. National network for community-based family resource programs.

“Sec. 138. Definitions.

“Sec. 139. Authorization of appropriations.

“TITLE II—OTHER CHILD ABUSE PREVENTION AND RELATED PROGRAMS

“Subtitle A—Adoption Opportunities

“Sec. 201. Short title.

“Sec. 202. Congressional findings and declaration of purpose.

“Sec. 203. Information and services.

“Sec. 204. Study and report on dynamics of successful adoption.

“Sec. 205. Authorization of appropriations.

“Subtitle B—Abandoned Infants Assistance

“Sec. 221. Short title.

“Sec. 222. Findings.

“Sec. 223. Establishment of local programs.

“Sec. 224. Evaluations, study, and reports by secretary.

“Sec. 225. Definitions.

“Sec. 226. Authorization of appropriations.”.

TITLE II—AMENDMENTS TO FAMILY VIOLENCE PREVENTION AND SERVICES ACT

SEC. 201. STATE DEMONSTRATION GRANTS AUTHORIZED.

Section 303(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

“(5) Upon completion of activities funded by a grant under this subpart, the State grantee shall file with the Secretary a report that contains a description of the activities carried out under paragraph (2)(B)(i).”.

SEC. 202. EVALUATION.

Section 306 of the Family Violence Prevention and Services Act (42 U.S.C. 10405) is amended in the first sentence by striking “Not later than two years after the date on which funds are obligated under section 303(a) for the first time after the date of the enactment of this title, and every two years thereafter,” and inserting “Every two years”.

SEC. 203. INFORMATION AND TECHNICAL ASSISTANCE CENTERS.

Section 308 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) is amended by striking subsection (g).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 310(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(a)) is amended to read as follows:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this title \$175,000,000 for each of the fiscal years 2003 through 2007.”.

(b) GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.—Section 311(g) of such Act (42 U.S.C. 10410(g)) is amended to read as follows:

“(g) FUNDING.—Of the amount appropriated pursuant to the authorization of appropriations under section 310(a) for a fiscal year, not less than 10 percent of such amount shall be made available to award grants under this section.”.

SEC. 205. GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.

Section 311 of the Family Violence Prevention and Services Act (42 U.S.C. 10410) is amended by striking subsection (h).

SEC. 206. NATIONAL DOMESTIC VIOLENCE HOTLINE GRANT.

(a) DURATION.—Section 316(b) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(b)) is amended—

(1) by striking “A grant” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), a grant”; and

(2) by adding at the end the following:

“(2) EXTENSION.—The Secretary may extend the duration of a grant under this section beyond the period described in paragraph (1) if, prior to such extension—

“(A) the entity prepares and submits to the Secretary a report that evaluates the effectiveness of the use of amounts received under the grant for the period described in paragraph (1) and contains any other information as the Secretary may prescribe; and

“(B) the report and other appropriate criteria indicate that the entity is successfully operating the hotline in accordance with subsection (a).”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 316(f) of such Act (42 U.S.C. 10416(f)) is amended in paragraph (1) by striking “fiscal years 2001 through 2005” and inserting “fiscal years 2003 through 2007”.

SEC. 207. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.

(a) IN GENERAL.—Section 318(h) of the Family Violence Prevention and Services Act (42 U.S.C. 10418(h)) is amended to read as follows:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2003 through 2007.”.

(b) REGULATIONS.—Section 318 of such Act (42 U.S.C. 10418) is amended by striking subsection (i).

SEC. 208. TRANSITIONAL HOUSING ASSISTANCE.

Section 319(f) of the Family Violence Prevention and Services Act (42 U.S.C. 10419(f)) is amended by striking “fiscal year 2001” and inserting “each of the fiscal years 2003 through 2007”.

SEC. 209. TECHNICAL AND CONFORMING AMENDMENTS.

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended as follows:

(1) In section 302(1) by striking “demonstrate the effectiveness of assisting” and inserting “assist”.

(2) In section 303(a) is amended—

(A) in paragraph (2)—

(i) in subparagraph (C), by striking “State domestic violence coalitions knowledgeable individuals and interested organizations” and inserting “State domestic violence coalitions, knowledgeable individuals, and interested organizations”; and

(ii) in subparagraph (F), by adding “and” at the end; and

(B) by moving the margin of paragraph (4) two ems to the left.

(3) In section 305(b)(2)(A) by striking “provide for research, and into” and inserting “provide for research into”.

(4) In section 311(a)—

(A) in paragraph (2)(K), by striking “other criminal justice professionals;” and inserting “other criminal justice professionals;” and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “family law judges,” and inserting “family law judges;”;

(ii) in subparagraph (D), by inserting “, criminal court judges,” after “family law judges;” and

(iii) in subparagraph (H), by striking “supervised visitations that do not endanger victims and their children” and inserting “supervised visitations or denial of visitation to protect against danger to victims or their children”.

(5) In section 313(1) by striking “on the individual develop data”.

(6) In section 315(b)(3)(A) by striking “and” at the end.

TITLE III—EFFECTIVE DATE

SEC. 301. EFFECTIVE DATE.

This Act, and the amendments made by this Act, take effect on October 1, 2002, or the date of the enactment of this Act, whichever occurs later.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. HOEKSTRA).

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3839.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOEKSTRA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that we are here today to consider H.R. 3839, the Keeping Children and Families Safe Act of 2002, which reauthorizes and improves the Child Abuse Prevention and Treatment Act, CAPTA, the Adoption Opportunities Program, the Abandoned Infants Act, and the Family Violence Prevention and Treatment Act.

I thank my colleagues on both sides of the aisle for their hard work and efforts in developing this bipartisan legislation in getting this measure here today for consideration before the whole House. I think it is timely that we are considering this bill today since April is designated as Child Abuse Prevention Month.

I thank the gentleman from Ohio (Chairman BOEHNER) for his support of this bill and the gentleman from Pennsylvania (Mr. GREENWOOD) for his diligence in ensuring that infants born addicted to alcohol or drugs receive the necessary services they need.

I also thank my colleagues on the other side of the aisle. I thank the gentleman from Indiana (Mr. ROEMER), the ranking member of the subcommittee, and the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce for their efforts in getting us to this point.

The Keeping Children and Families Safe Act continues the provision of important Federal resources for identifying and addressing the issues of child abuse and neglect and family violence and for supporting effective methods of prevention and treatment.

It also continues local projects with demonstrated value in eliminating barriers to permanent adoption and addressing the circumstances that often lead to child abandonment.

Mr. Speaker, this legislation emphasizes the prevention of child abuse and neglect and family violence before it occurs. It promotes partnerships between child protective services and pri-

vate and community-based organizations, including education, and health systems to ensure that services and linkages are more effectively provided.

The bill also appropriately addresses a growing concern over parents being falsely accused of child abuse and neglect and the aggressiveness of social workers in their child abuse investigations. The bill increases public education opportunities to strengthen the public's understanding of the child protection system and appropriate reporting of suspected incidents of child maltreatment.

The act fosters cooperation between parents and child protective service workers by requiring case workers to inform parents of the allegations made against them, and improves the training opportunities and requirements for child protective services personnel regarding the extent and limits of their legal authority and the legal rights of parents and legal guardians.

Lastly, this bill expands adoption opportunities to allow services for infants and young children who are disabled or born with life-threatening conditions. It requires the Secretary of Health and Human Services to conduct a study on the annual number of infants and young children abandoned each year, and extends the authorization for the Family Violence Prevention and Services Act.

I again thank my colleagues for their work on this bill and urge them to join me in support of this bipartisan effort to improve the prevention and treatment of child abuse and family violence by supporting H.R. 3839.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in strong support of this bill to reauthorize this relatively small, but very important, program, the Child Abuse Prevention and Treatment Act.

This bill will help States do a better job of preventing and treating child abuse and neglect. I thank the gentleman from Michigan (Mr. HOEKSTRA), the chairman of the subcommittee, and the ranking member, the gentleman from Indiana (Mr. ROEMER), and the gentleman from Ohio (Mr. BOEHNER) for their commitment to writing a bipartisan bill and all of their effort to make sure that this legislation got to the floor and passed the House of Representatives. I thank the gentleman from Pennsylvania (Mr. GREENWOOD) for his expertise and commitment to the prevention of child abuse.

Democrats were able to work with Republicans to make this a good bill for children. In 1999, there were more than 800,000 substantiated cases of child abuse and neglect; and over 1,137 children died as a result of abuse and neglect. Children who are abused and neglected are more likely to commit suicide, suffer from depression, commit crimes, fail in school, and have problems holding jobs.

The Federal approach to addressing child abuse and neglect does not go far enough to help States prevent child abuse from happening and providing treatment services for children and families once it has occurred. Only 12 percent of the Federal monies for child abuse and neglect go toward prevention and treatment.

This bill we are reauthorizing today is extremely important because it is the only Federal program specifically aimed at the prevention and treatment of child abuse; and yet this program is only appropriated half of the money of its authorized level. The legislation also makes important changes by increasing collaboration between child protective services and health agencies.

Children with disabilities are almost four times more likely to be the victims of abuse and neglect, and children in child welfare systems have a higher risk of health problems. Any serious attempt to prevent and treat child abuse and neglect must include procedures for linking abused children and children at risk for abuse to the appropriate health and mental health services.

The bill requires States report on their efforts to improve case-work training, supervision, and retention so children and families can be better served.

Mr. Speaker, this bill is a major step forward in a heart-wrenching, but critical, effort to stop child abuse and neglect and to better treat those children who have fallen victim to it. Again, I thank the gentleman from Michigan (Mr. HOEKSTRA), the gentleman from Indiana (Mr. ROEMER), and the gentleman from Ohio (Mr. BOEHNER) for their efforts in bringing the bill to the floor.

Mr. HOEKSTRA. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. ROEMER). (Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, this is the people's House, and this is the consummate bill put together by the people, by the members of this committee. I thank the leaders of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. GEORGE MILLER), for their support to our subcommittee and their leadership. I thank the gentleman from Michigan (Mr. HOEKSTRA) for his efforts to create a bipartisan product to bring to the floor. I thank the gentleman from Virginia (Mr. SCOTT) for his skills and experience over the years working on these issues, and I thank the gentleman from Pennsylvania (Mr. GREENWOOD) for his work as a social worker and the experience that he brought to this bill.

Mr. Speaker, this bill is a bill about balance, it is about linkages, and it is

about the middle ground. It is a bill that breaks our hearts if we do not address the problems. I was at a fund-raising dinner in Kosciusko County in Indiana a couple of years ago, and it was a fund-raiser to raise money to prevent child abuse. We heard the stories of children locked in closets, burnt with cigarettes, defecated upon, chained up and released months later. These stories break my heart. The stories here in D.C., about Brianna. She is reunited with her parent and eventually killed weeks later.

If we do not do something about these problems, they cost children their lives. This is a very important, yet small, and significant bill; but very important to the lives and the health of children.

This is about balance. It is about the balance of trying to make sure that the Briannas are not reunited with a parent that will kill them; but also helping our social workers who sometimes have 80 and 90 cases at a time. This is about playing a critical role and placing resources into prevention and treatment of child abuse, that balance. This is about the balance of allowing those in the field to continue to find more effective ways to help prevent child abuse, and also treat these children and families.

Finally, Mr. Speaker, it is about linkages. I am glad to see linkages between the child protection services and the juvenile justice system so that those two systems are working together to prevent children from getting into trouble in the first place, and working with those that are already in the juvenile justice system to help them get the help they need to stay out and get out of the juvenile justice system.

We found good middle ground that will allow for greater parental rights without putting children at risk. It allows parents to be informed of their rights without making the job of the social worker more difficult.

Finally, it is about middle ground. As I said, balance, linkages and middle ground. I am glad that we came to agreement on the amendment of the gentleman from Pennsylvania (Mr. GREENWOOD) to identify children that are born drug exposed and to get them the help they deserve. This is a good bipartisan bill about that balance, about that creativity, about those linkages, and about that middle ground. I urge its support.

Mr. HOEKSTRA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I thank my colleague, the gentleman from Indiana (Mr. ROEMER). Working together, we have really set a nice tone on the Subcommittee on Select Education, especially on this bill which in the past on occasion has been a rather controversial bill; but we were able to work through this bill and pass something that has broad bipartisan support. We have been able to do that on libraries and museums; and over the last couple of months, we have

begun that same type of process, expecting the same kind of result on reauthorization for the Corporation for National Service. So under the leadership of the gentleman from Indiana (Mr. ROEMER) on the subcommittee, working with the gentleman from California (Mr. GEORGE MILLER), I think we have set a good tone for this subcommittee in tackling some tough issues.

Mr. ROEMER. Mr. Speaker, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Speaker, I would compliment the gentleman back, and say our work on the libraries and museums bill went in a bipartisan fashion, another very significant piece of legislation to help urban and rural libraries and museums. This bill I hope will pass today, and I look forward to the work that we will do on AmeriCorps in the future.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the Committee on Education and the Workforce.

Mr. SCOTT. Mr. Speaker, I thank the subcommittee chairman, the gentleman from Michigan (Mr. HOEKSTRA); the ranking member, the gentleman from Indiana (Mr. ROEMER); and the full committee chairman, the gentleman from Ohio (Mr. BOEHNER); and the ranking member, the gentleman from California (Mr. GEORGE MILLER); and the gentleman from Pennsylvania (Mr. GREENWOOD) for their leadership in crafting this bipartisan bill.

I am especially appreciative of their acceptance of several amendments that I proposed to strengthen the bill's focus on developmental needs of abused and neglected children. In recent years, much focus has been placed on the brain damage and brain development of young people from age birth to 3. We know that experiences that a child has during this period can be critical to the foundation for their future development. Research also suggests that when a child's early experiences are negative, children may experience emotional, behavioral, and learning problems that can last through their lifetime without targeted early interventions.

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For a child that has been abused and neglected, it is extremely important to evaluate that child developmentally and ensure that the appropriate services are given. I am pleased that the subcommittee accepted my amendment to have children who are under 3, who have been abused or neglected, to be referred to the statewide early intervention system funded under part C of the Individuals with Disabilities Education Act. Part C State agencies can evaluate these children developmentally to see if there are delays that would qualify those children for services. A 1993 study by the Office of Child Abuse and

Neglect found that 36 percent of the substantiated cases of child maltreatment, or about 300,000 children, caused disabilities in these children. And of those children who have been seriously abused, 18,000 of those children received permanent disabilities.

Mr. Speaker, many studies have shown and documented that the earlier the services are given, the more effective they are. Ensuring that these children receive appropriate services as early as possible will reduce the need for costly interventions later on.

I am also pleased, Mr. Speaker, that the committee accepted my amendment to allow the Secretary to fund additional research focusing on the effects of child abuse and neglect on a child's development. Additional research in this area is needed to better identify successful early intervention services so that we can more appropriately serve abused and neglected children with their developmental needs.

Mr. Speaker, I thank the leaders for crafting the bill. I urge my colleagues to support the legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS), a member of the committee.

Mrs. DAVIS of California. Mr. Speaker, I rise today in support of H.R. 3839, the Keeping Children and Families Safe Act. In particular I would like to talk about an important provision in this legislation that was added to the bill through the bipartisan efforts of my colleagues on the Committee on Education and the Workforce. H.R. 3839 includes language to encourage agencies and organizations that receive CAPTA funds to provide materials and services to families and children with limited English proficiency in an appropriate language other than in English.

This need for language-appropriate materials and services was brought to my attention by the committed social workers of Children's Services in San Diego. One of the greatest frustrations that they encounter is the lack of services available for limited English proficiency families. In some instances this lack of language-appropriate services is actually compromising how families comply with court orders. For example, the court often orders perpetrators of domestic violence to attend education and counseling sessions as a condition of allowing their children to return home. A Children's Services social worker is assigned to the case to help the parents get into a treatment program and to monitor the child. The average wait for admittance into a Spanish language domestic violence program is 6 to 8 months. Parents have a year to complete that treatment but they may spend up to 8 months waiting to get in. In many instances the children are separated from their parents until treatment is completed. This situation is keeping families apart.

Participating in an English treatment program may fulfill the court's requirement, but it does not benefit the parents if they do not speak English. As a diverse Nation, we must work harder to address the multilingual needs of our communities and encourage the availability of services in appropriate languages. Every month, San Diego County's Children Services makes referrals in Spanish, in Vietnamese, Arabic, Cambodian, Farsi and other languages.

The language included in this bill before us today expresses the sense of Congress that all agencies and organizations that receive CAPTA funds must recognize and meet the needs of these communities by providing appropriate materials and services.

Mr. Speaker, I am very pleased that we have added that language to the bill. I want to thank my colleagues for their invaluable help with this provision.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. I thank the gentleman for yielding me this time.

Mr. Speaker, one of the important changes that we made in this law as it came through the committee was some language that I worked out in a bipartisan fashion that goes to an issue that I think is perhaps the most critical area that needs treatment in the prevention of child abuse. Today, children are born all over this country to mothers who have substance abuse problems. Their mothers are alcoholic or their mothers are drug addicts. These babies are born in hospitals, they are frequently underweight, they are frequently frail. Much money and effort is devoted to bringing them to health. These children do not meet any definition of child abuse, and probably they should not, but what happens is they are sent home from hospitals every day in this country and it is only a matter of time in so many instances until they return back to the hospital abused, bruised, beaten, and sometimes deceased. That is because we have not developed a system in this country to identify these children and intervene in their lives.

The amendments that we put in this bill for the first time require the States to set up programs so that when these children are born to these addicted families that there is intervention, and the social workers can come in and meet with the mother and establish a safe plan of care. If the child can go home safely, so be it. They will have visiting nurses and hopefully substance abuse treatment and all of the rest. In those cases where the mother is refusing or unable or unwilling to get help to protect her child, to mother properly, to parent properly, or where the home situation is just too chaotic and too violent for the child to be safe, then there can be intervention and the child can be placed in foster care.

Over and over again, the newspapers of our country are replete with these

cases of terribly, terribly abused, battered, sexually abused and sometimes beaten-to-death children who could have been saved if only we had intervened when we knew there was a problem, when we could see that this child was born to a dysfunctional family where substance abuse is the issue. Now we will be able to do that.

I want to thank the gentleman from Michigan (Mr. HOEKSTRA), I want to thank the gentleman from California (Mr. GEORGE MILLER), I want to thank the gentleman from Indiana (Mr. ROEMER), and all Republicans and Democrats who have worked with me to get this amendment in. I think if we get this all the way through the Senate and signed by the President, we will see a significant reduction in child abuse and we will be glad for the effort.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very important bill that we are debating here today. It is important that it pass the House later this evening.

But we will be voting on another important matter this evening, and that is the motion to instruct by our colleague, the gentleman from California (Mr. BACA), to make sure that the agriculture bill in fact includes a provision to provide for food stamp eligibility for legal immigrants with a significant work history, and the children of those immigrants. This is a very, very important measure. Some 1 million children who are citizens of immigrant parents have left the food stamp program since we changed the law. Members of both parties now recognize that this was a tragic mistake, that these children, while their parents work and work very hard and work very long hours, are twice as likely as other children and families to be poor, and that their jobs pay less than citizens of this country. It is very important that we provide them the means by which they can provide the proper nutrition for these children so the children can take full advantage of the opportunities of education and learning and do not fall behind in school. The history of this country is replete with studies that tell us how very important it is that children have proper nutrition when they go to school.

This was a mistake that the Congress made. This is a chance to rectify this situation. I believe the Bush administration supports this effort, and we will be voting on this later this evening. It is a matter that is very important to a number of Members and our colleagues.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. I thank the gentleman for yielding me this time.

Mr. Speaker, today we are considering the Keeping Children and Families Safe Act. I do not think there will be any disagreement that nothing is more fundamental to the safety and security of America's children and fami-

lies than having enough food to eat. That is why I rise in strong support of the Baca motion to adopt the Senate provisions that provide eligibility for food stamps to lawfully present, hard-working immigrant families and their children.

Tragically, more than one in five low-income children belong to legal immigrant families. These families work hard and pay taxes, taxes that support the food stamp program. In spite of their hard work, however, these families are often hit the hardest in an economic downturn. Denying these families access to basic safety net programs runs counter to Congress' goal in the Keeping Children and Families Safe Act. No child is safe when suffering from hunger.

As the world's wealthiest Nation, it is inexcusable that such a high rate of hunger exists among low-income legal permanent resident families living in this country. We must not allow this tragic situation to continue. Congress must follow the lead of the President and expand access to food stamps for these hard-working, legal residents and their children.

I urge my colleagues to support the motion to instruct conferees which the House will be voting on later this evening.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague, Mr. Speaker, for the points that she made, because I think it is very important that people understand this. It has become very clear in the last few years, I think, to many Americans, even those who had doubts about immigration, of the important contribution that immigrants make to our economy. Certainly to the gentlewoman from California (Ms. ROYBAL-ALLARD) and myself, it is very clear that the California economy could not continue for 5 minutes if the immigrants decided that they were not going to contribute their share of what they do. It runs across entire segments of our economy, from Silicon Valley to the Central Valley of California, to the great areas of San Diego, Los Angeles, in so many industries, in so many areas of manufacturing, in so many areas of high tech, in movie production, in the accommodations industry, in the tourism industry, these people make our economy go. Yet the Congress made a tragic mistake and denied them access to food stamps. They pay taxes. They pay for these programs. They also denied it to their children.

This is an opportunity, it is in the Senate provision, and it is something that we would hope that the House would join in, agree to the Senate, and send it to the President for his signature on the ag bill.

I want to thank the gentlewoman for her points.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I am so happy to be on the floor of this

House today to stand in strong support of H.R. 3839, the Keeping Children and Families Safe Act, and to thank and commend the Committee on Education and the Workforce, particularly the chairman and the ranking member and all those who have done so much now, and hopefully we will pass this tonight and have it signed into law. It will make such a difference in preventing the suffering of children in our country.

Today could be a real red letter day for that because it is not just that piece of legislation which I look forward to supporting tonight, but we also can support the Baca amendment which would prevent the suffering of children through hunger and their families from being hungry. There can be no higher mission for this body than to prevent that kind of unnecessary suffering.

All we are going to be considering tonight is a motion to instruct the conferees on the farm bill. This is in line, really, with the Keeping Children and Families Safe Act. We are going to be able to restore food stamps to legal immigrants, people who have been in this country for at least 5 years, who have worked here for 16 quarters. About 85 percent of immigrant families are mixed families, with stepchildren and immigrant parents. This benefit that goes to the citizen children often has to be spread through the whole family, leaving the family not having enough food to eat.

So while we protect children through the Keeping Children and Families Safe Act, let us also do it by instructing the conferees to say let us restore that benefit so we do not have hungry families and hungry children who go to school.

Mr. GEORGE MILLER of California. Mr. Speaker, will the gentlewoman yield?

Ms. SCHAKOWSKY. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Speaker, I just want to say to the gentlewoman that I think she is quite correct in drawing the connection between the Keeping Children and Families Safe Act, and prevention of abuse there, and recognizing that in fact it is abusive to send children throughout their daily activities without proper nutrition, without sufficient food to support them.

□ 1830

We know then that those are, in many instances, the very same children who act out in school, and then they act out in school and then they get in trouble at home; and all of a sudden a family that is already under stress because of income, because of a lack of food, perhaps maybe the child is mistreated in an improper way, and now we are dealing with a child back into the child abuse system.

Again, we have studies of how children behave when they have enough to eat in school and when they do not

have enough to eat in school. Very often, those children, when we examine their backgrounds, they are the children that become the targets of disciplinary actions because of their acting out in schools. And we can start to see how this snowballs; and all of a sudden, the child is caught up in a situation where they are being characterized, where they are being labeled over something that they really have no control over and that is whether or not a family has sufficient nutritional resources to provide the child the food that they need.

Ms. SCHAKOWSKY. Mr. Speaker, reclaiming my time, I just want to say that in the same way that in a bipartisan fashion the gentleman was able to craft the Keeping the Children and Families Safe Act, we could do this in a bipartisan way. As the gentleman had mentioned earlier, the Bush administration does support this effort to restore food stamps to legal immigrant families. So I think tonight we ought to do both things: protect children from physical abuse and the kind of abuse that results from hunger.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for her contribution.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

The SPEAKER pro tempore (Mr. LINDER). The time of the gentleman from California (Mr. GEORGE MILLER) has expired. The gentleman has consumed 20 minutes.

Mr. HOEKSTRA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me congratulate the chairman and ranking member and the sponsor of this legislation, the Child Abuse Prevention and Treatment Act. These are two issues that I think are very important, and the whole issue of improving the quality and the access to adoption for our children. I want to thank the gentleman from California (Mr. GEORGE MILLER) and of course the chairman, but as well the issue of abandoned children is a very important one. I worked on it in Texas. This is an important legislative initiative that has bipartisan support, and I thank my colleagues very much for allowing me to comment on something that we worked a lot on in Texas.

As my colleagues know, I care about children, as all of us do. So I would like to add that in addition to my enthusiastic support for this legislation, the Child Abuse Prevention and Treatment Act and Adoption Opportunities Act, I want to also mention my support for the Baca Motion to Instruct, which is to realize that many legal immigrants, legal residents are awaiting citizenship, and they contribute tremendously to the success and growth of this country. They pay taxes, their children join the military. So this is an extremely

important motion that we will have an opportunity to vote on. It complements this legislation.

What it says is that our children, who are the children of this country, the children of these immigrants deserve the right to access to benefits and to food stamps. It says that we do not want our children to starve, that we do not want them to go to schools trying to seek an education without the opportunity to eat. It also recognizes that this country has a message that it respects work, respects those individuals who work in hospitals and restaurants and serve in the military. It respects them. As they come here to access legalization, we want to make sure that we confirm the message of our country, that we have the opportunity for equal treatment and our immigrants can have that treatment by supporting the motion of the gentleman from California (Mr. BACA).

Let me say I add my enthusiastic support to the legislation on the floor at this time.

Mr. HOEKSTRA. Mr. Speaker, I yield myself such time as I may consume.

I would like to again thank my colleagues on the other side of the aisle, especially for the last few minutes of creative debate where not only could we talk about the Keeping Children and Families Safe Act of 2002, but also to be informed on the Baca Motion to Instruct tonight.

But I am glad that we have been able to do that in a bipartisan way, as we have also been able to move this bill forward in a bipartisan way.

Mr. Speaker, I urge my colleagues to vote in support of H.R. 3839.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in strong support of H.R. 3839, Keeping Children and Families Safe Act of 2002 and urge my colleagues to support its adoption. H.R. 3839 is aimed at preventing child abuse and family violence and protecting and treating abused and neglected children and victims of family violence.

Sadly, even a place with the natural beauty of my district, the U.S. Virgin Islands, is plagued with the curse of child abuse and family violence. At a hearing of the Virgin Islands Legislature's Youth and Human Service Committee earlier this year, my friend and director of the St. Thomas based child advocacy organization Kidscope Inc., Dilsa Capdeville, admonished her fellow Virgin Islanders to first recognize that everyone, not just those who work in the various child-help agencies, must respond to the plight of our children. We must, "open our doors, our minds and our hearts; everyone must do his or her part," she said.

I want to take this opportunity to commend Dilsa, Clema Lewis, co-director of the Women's Coalition, Michael Rymer, executive director of the Family Resources Center, Elise Chinnery, who heads the Adolescent Health Services Division of the Health Department and Dr. Iris Kern of the Safety Zone for the work they do in the Virgin Islands helping children and victims of domestic violence and sexual abuse.

My colleagues, regrettably family violence continues to be the most common yet least reported crime in our Nation. Approximately, 95

percent of family violence victims are women and it is estimated that every 11 seconds a woman is battered in the United States. It is also estimated that 70 percent of men who abuse their wives also abuse their children and children from abusive homes are at greater risk of alcohol or drug abuse, juvenile delinquency and depression and suicide.

The bill we are debating today attempts to reverse these trends by more than doubling the amount of funds provided for community-based grants for family support programs for the prevention of child abuse and neglect for fiscal year 2003.

I urge my colleagues to support passage of this important bill, which will protect the most vulnerable members of our communities, our children and abused women.

Mr. DELAY. Mr. Speaker, I rise in support of H.R. 3839, the Keeping Children and Families Safe Act of 2002. I am very pleased that we were able to bring this bill to the floor during April, a month dedicated to commemorate Child Abuse and Neglect Prevention.

The bill before us today is aimed at identifying and preventing child maltreatment. One critical provision offered in committee by Mr. GREENWOOD is particularly important. This provision would require States to develop policies and procedures to inform State child protective workers when an infant is born addicted to drugs.

There is a strong link between substance abuse and child abuse. An estimated 40 percent of confirmed cases of child maltreatment involve parental drug use. When parents abuse drugs there is a three-fold increase in the likelihood that their child will be abused or neglected.

Nothing is more tragic than the sight of a child born exposed to drugs going through withdrawal. Their pain is clear. These babies cry without stopping. They can't be comforted. They are startled by light and touch.

This is particularly heartbreaking because these children are almost always placed into neonatal intensive care units where the lights are never turned off and the noise level is always high. Babies born addicted to drugs often arrive prematurely with subtle brain damage. These babies fail to thrive and struggle to gain weight because they often have feeding problems.

When child protection workers aren't told that a baby was born addicted to drugs, that baby is in serious danger. In far too many cases, addicted babies go home to die. In the District of Columbia alone, 11 newborns died from 1993 through 2000 after hospitals sent them home to drug addicted parents without monitoring or services.

The bill we will pass today sends a clear message to the States: Drug addicted newborns must be protected. My home State of Texas, and 26 other States, require medical personnel to report the birth of drug exposed babies to authorities.

But there is still a troubling lack of attention to the laws that are currently in place and the babies they are designed to protect. This legislation is a good start. But much more needs to be done.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of the Keeping Children and Families Safe Act, H.R. 3839. It is my hope that this legislation will enhance current abuse programs and serve as a pivotal step in preventing and treating family violence.

The Keeping Children and Families Safe Act reauthorizes the Child Abuse Prevention and Treatment Act, Adoption Opportunities Program and the Abandoned Infants Assistance Program through fiscal year 2007, as well as certain programs under the Family Violence Prevention and Services Act. I am particularly pleased to see an increase in funding for the Child Abuse Prevention and Treatment Act. A majority of the funding, \$120 million, will be used for formula grants to improve child protection services such as professional training, abuse prevention, and treatment, case management, and investigation and prosecution. In addition, it provides for \$80 million for community-based family resource and support grants.

Child abuse is a serious public health problem. In 1999, the Department of Health and Human Services reported that Child Prevention Services (CPS) agencies received over 2.9 million reports of suspected child abuse and neglect. Ultimately, 826,000 children were found to be victims of abuse and neglect after investigation. That means that out of every 1,000 children, 12 are abused. Even more alarming are some surveys that indicate that as many as 49 out of 1,000 children may be physically abused, and child abuse is on the rise. The National Incidents Studies found that since 1988, all forms of abuse and neglect—sexual, physical, and emotional—have risen at least 42 percent, while some individual types of neglect have risen over 300 percent.

Unfortunately, funding for neither the CAPTA nor the CPS agencies has kept pace with the scope of the problem. For the past 10 years, the Child Abuse Prevention and Treatment Act has been funded at low levels representing only half of its authorized levels. Additionally, the National Child Abuse Coalition estimates that current spending in federal, state, and local dollars for child protective services falls short by about \$2.56 billion of the estimated \$5.215 billion total cost, which in turn puts our children in a position for abuse and neglect.

The Child Abuse Prevention and Treatment Act should be the core source of funding for child protective services; but it is not. Last year, CAPTA programs received only \$48 million for state grants and \$33 million for prevention grants. I am encouraged by both this year's authorization for CAPTA and by the reauthorization levels put forth by the Keeping Children and Families Safe Act. The authorization for FY03 for CAPTA is increased to \$100 million for state grants and \$66 million for prevention. I applaud the Members of the House Committee on Education for recognizing the need for increases for these important programs and allowing H.R. 3839 to come before us. By dramatically increasing the funding levels for the CAPTA, the Keeping Children and Families Safe Act demonstrates our commitment and willingness here in Congress to help protect our children.

Mr. Speaker, I would also like to recognize a dear friend of mine, Eva Bunelle, who like many other people abused as children, has only recently come forward. She is a dauntless defender and advocate for children. In revealing her experience and compelling story, she seeks no remedy for herself, but only for those children she hopes can be spared from the horrors that she persevered through. I commend Eva Bunelle for her courage and strength, and I thank the National Child Abuse Coalition for lending their support and re-

sources to this great champion; Her voice can now be heard louder and clearer than ever.

Mr. Speaker, child abuse and family violence are all too common. It is time to remedy this horrific evil that plagues our society. While the deep roots of family violence are not easily unearthed, I believe this legislation before us will provide some of the necessary tools to help prevent further instances of abuse and help those who are already victims. Therefore, I urge my colleagues to vote in favor of the Keeping Children and Families Safe Act.

Mr. HOLT. Mr. Speaker, I rise today to support H.R. 3839 the Keeping Children And Families Safe Act. There are approximately three million reports of child abuse every year. Of this number, 1 million are substantiated. It is estimated that children with disabilities are almost four times more likely to be victims of abuse and neglect than children without disabilities. A 1993 study by the Office of Child Abuse and Neglect found that 36 percent of the substantiated cases of child maltreatment, or about 300,000 children, caused disabilities in those children.

But the problems of child abuse and neglect are even more serious than these statistics may suggest. A 1995 Gallup poll of parents, reports of physical abuses were about 16 times higher than the number or reports officially recorded, and reports of sexual abuse were some 10 times higher than the officially reported number. Unfortunately, less than half of the children who are abused or neglected receive any services at all.

The bill before us today is intended to address these gaps in service. The bill requires State child welfare agencies to develop policies involving abused or neglected children so that they can be referred to the statewide early intervention system funded under part C of the Individuals with Disabilities Education Act. This will ensure that abused children will get the early intervention they need, such as services to help them learn, grow, and thus enter school ready to learn.

The bill also improves the way society provides healthcare to abused and neglected children. Children in the child welfare system are at higher risk for health problems than other children. Because child abuse often causes disabilities appropriate health and developmental evaluations and treatment are vitally important. A 1995 GAO study concluded that barriers prevent many children in the welfare system from receiving adequate health care. H.R. 3839 takes steps to help states address this problem and improve services for victims of child abuse and neglect. Among other things, H.R. 3839 promotes links between child protection and health care agencies, including mental health, agencies.

Our Nation's current system of protecting children is heavily weighted toward protecting children who have been so seriously maltreated they are no longer safe at home and must be placed in foster care or adoptive homes. These are children whose safety is in danger and they demand our immediate attention. Unfortunately, far less attention is directed at preventing harm to these children from happening in the first place, or providing the appropriate services and treatment needed by families and children victimized by abuse or neglect. The changes made in H.R. 3839, will help improve the Child Protective Services (CPS) system nationwide. Through the Child Abuse Prevention and Treatment Act basic

State grant program, we would take an important step forward providing support for the CPS system infrastructure and to begin to rectify the imbalance in society's response to the abuse and neglect of children. Mr. Speaker, this is a good bill and I urge my colleagues to support it.

Mr. HOEKSTRA. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and pass the bill, H.R. 3839, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This 15-minute vote on the motion to suspend the rules will be followed by two 5-minute votes on the motions to instruct conferees that were debated on Thursday last.

The vote was taken by electronic device, and there were—yeas 411, nays 5, not voting 18, as follows:

[Roll No. 104]

YEAS—411

Abercrombie	Cannon	Edwards
Ackerman	Cantor	Ehlers
Aderholt	Capito	Ehrlich
Akin	Capps	Emerson
Allen	Capuano	Engel
Andrews	Cardin	English
Army	Carson (IN)	Eshoo
Baca	Carson (OK)	Etheridge
Bachus	Castle	Evans
Baird	Chabot	Everett
Baker	Chambliss	Farr
Baldacci	Clay	Fattah
Baldwin	Clayton	Ferguson
Ballenger	Clement	Filner
Barcia	Clyburn	Fletcher
Barr	Coble	Foley
Barrett	Collins	Forbes
Bartlett	Combest	Ford
Barton	Conyers	Fossella
Bass	Cooksey	Frank
Becerra	Costello	Frelinghuysen
Bentsen	Cox	Frost
Bereuter	Coyne	Galleghy
Berkley	Cramer	Gekas
Berman	Crenshaw	Gephardt
Berry	Crowley	Gibbons
Biggert	Cubin	Gillmor
Bilirakis	Culberson	Gilman
Bishop	Cummings	Gonzalez
Blumenauer	Cunningham	Goode
Blunt	Davis (CA)	Goodlatte
Boehlert	Davis (FL)	Gordon
Boehner	Davis (IL)	Goss
Bonilla	Davis, Jo Ann	Graham
Bono	Davis, Tom	Granger
Boozman	Deal	Graves
Borski	DeFazio	Green (TX)
Boswell	Delahunt	Green (WI)
Boucher	DeLauro	Greenwood
Boyd	DeLay	Grucci
Brady (PA)	DeMint	Gutierrez
Brady (TX)	Deutsch	Gutknecht
Brown (FL)	Diaz-Balart	Hall (OH)
Brown (OH)	Dicks	Hall (TX)
Brown (SC)	Dingell	Hansen
Bryant	Doggett	Harman
Burr	Dooley	Hart
Burton	Doolittle	Hastings (FL)
Buyer	Doyle	Hastings (WA)
Callahan	Dreier	Hayes
Calvert	Duncan	Hayworth
Camp	Dunn	Hefley

Herger	McHugh	Saxton
Hill	McInnis	Schakowsky
Hilleary	McIntyre	Schiff
Hilliard	McKeon	Schrock
Hinojosa	McKinney	Scott
Hobson	McNulty	Sensenbrenner
Hoefel	Meehan	Serrano
Hoekstra	Meek (FL)	Sessions
Holden	Meeks (NY)	Shadegg
Holt	Menendez	Shaw
Honda	Mica	Shays
Hooley	Millender-	Sherman
Horn	McDonald	Sherwood
Hostettler	Miller, Dan	Shimkus
Hoyer	Miller, Gary	Shows
Hulshof	Miller, George	Shuster
Hunter	Miller, Jeff	Simmons
Hyde	Mink	Simpson
Inslee	Mollohan	Skeen
Isakson	Moore	Skelton
Israel	Moran (KS)	Slaughter
Issa	Moran (VA)	Smith (MI)
Istook	Morella	Smith (NJ)
Jackson (IL)	Murtha	Smith (TX)
Jackson-Lee	Myrick	Snyder
(TX)	Nadler	Solis
Jefferson	Napolitano	Souder
Jenkins	Neal	Spratt
John	Nethercutt	Stark
Johnson (CT)	Ney	Stearns
Johnson (IL)	Northup	Stenholm
Johnson, E. B.	Norwood	Strickland
Johnson, Sam	Nussle	Stump
Jones (NC)	Oberstar	Stupak
Jones (OH)	Obey	Sullivan
Kanjorski	Olver	Sununu
Kaptur	Ortiz	Sweeney
Keller	Osborne	Tanner
Kelly	Ose	Tauscher
Kennedy (MN)	Otter	Tauzin
Kennedy (RI)	Owens	Taylor (MS)
Kerns	Oxley	Taylor (NC)
Kildee	Pallone	Terry
Kind (WI)	Pascarell	Thomas
King (NY)	Pastor	Thompson (CA)
Kingston	Payne	Thompson (MS)
Kirk	Pelosi	Thornberry
Klecza	Pence	Thune
Knollenberg	Peterson (MN)	Thurman
Kolbe	Peterson (PA)	Tiahrt
Kucinich	Petri	Tiberi
LaFalce	Phelps	Tierney
LaHood	Pickering	Toomey
Lampson	Pitts	Towns
Langevin	Platts	Turner
Lantos	Pombo	Udall (CO)
Larsen (WA)	Pomeroy	Udall (NM)
Larson (CT)	Portman	Upton
Latham	Price (NC)	Velazquez
Leach	Putnam	Visclosky
Lee	Quinn	Vitter
Lewis (CA)	Rahall	Walden
Lewis (GA)	Ramstad	Walsh
Lewis (KY)	Rangel	Wamp
Linder	Regula	Waters
Lipinski	Rehberg	Watkins (OK)
LoBiondo	Reyes	Watson (CA)
Lofgren	Reynolds	Watt (NC)
Lowe	Rivers	Watts (OK)
Lucas (KY)	Roemer	Waxman
Lucas (OK)	Rogers (KY)	Weiner
Luther	Rogers (MI)	Weldon (FL)
Lynch	Ros-Lehtinen	Weldon (PA)
Maloney (CT)	Ross	Weller
Maloney (NY)	Rothman	Wexler
Manzullo	Roukema	Whitfield
Markey	Roybal-Allard	Wicker
Mascara	Royce	Wilson (NM)
Matsui	Rush	Wilson (SC)
McCarthy (MO)	Ryan (WI)	Wolf
McCarthy (NY)	Ryun (KS)	Woolsey
McCollum	Sabo	Wu
McCrery	Sanchez	Wynn
McDermott	Sanders	Young (AK)
McGovern	Sandlin	Young (FL)
	Sawyer	

NAYS—5

Flake	Rohrabacher	Tancred
Paul	Schaffer	

NOT VOTING—18

Blagojevich	Gilchrest	Pryce (OH)
Boniior	Hinche	Radanovich
Condit	Houghton	Riley
Crane	Kilpatrick	Rodriguez
DeGette	LaTourette	Smith (WA)
Ganske	Levin	Trafigant

□ 1858

Mr. TANCREDO changed his vote from “yea” to “nay.”

Messrs. DEUTSCH, COBLE, AKIN, FRELINGHUYSEN, and GRAHAM changed their vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDE). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional question on which the Chair has postponed further proceedings.

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001 OFFERED BY MR. DOOLEY OF CALIFORNIA

The SPEAKER pro tempore. The unfinished business is the question of agreeing to the motion to instruct on H.R. 2646, on which the yeas and nays were ordered.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. DOOLEY).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 273, nays 143, not voting 18, as follows:

[Roll No. 105]

YEAS—273

Abercrombie	Carson (OK)	Flake
Akin	Castle	Ford
Allen	Clay	Frank
Baca	Clayton	Frost
Baird	Clement	Galleghy
Baldacci	Clyburn	Gekas
Baldwin	Collins	Gillmor
Barcia	Conyers	Gonzalez
Barrett	Costello	Gordon
Bass	Coyne	Graves
Becerra	Cramer	Green (WI)
Bentsen	Cubin	Greenwood
Bereuter	Cummings	Hall (OH)
Berman	Davis (CA)	Hall (TX)
Berry	Davis (FL)	Hansen
Biggert	Davis (IL)	Harman
Bishop	DeFazio	Hastings (FL)
Blumenauer	Delahunt	Hefley
Boehlert	DeLauro	Herger
Bono	DeMint	Hill
Boozman	Dicks	Hilleary
Borski	Dingell	Hilliard
Boswell	Doggett	Hinojosa
Boucher	Dooley	Hobson
Boyd	Doyle	Hoefel
Brady (PA)	Edwards	Holden
Brady (TX)	Ehlers	Holt
Brown (FL)	Ehrlich	Honda
Brown (OH)	Emerson	Hooley
Brown (SC)	English	Horn
Burr	Eshoo	Hostettler
Burton	Etheridge	Hoyer
Buyer	Evans	Hulshof
Callahan	Farr	Inslee
Calvert	Fattah	Isakson
Camp	Filner	Israel

Issa	Mink	Shays	Skeen	Tauzin	Wicker	Hinojosa	Matheson	Rush
Istook	Mollohan	Sherman	Smith (NJ)	Taylor (NC)	Wilson (SC)	Hoeffel	Matsui	Sabo
Jackson (IL)	Moran (KS)	Sherwood	Smith (TX)	Thomas	Wolf	Holden	McCarthy (MO)	Sanchez
Jackson-Lee (TX)	Moran (VA)	Shimkus	Souder	Vitter	Wu	Holt	McCarthy (NY)	Sanders
Jefferson	Morella	Shows	Stearns	Watts (OK)	Riley	Honda	McCollum	Sandlin
John	Murtha	Simmons	Sullivan	Weldon (FL)	Young (AK)	Hooley	McDermott	Sawyer
Johnson (CT)	Nadler	Simpson	Tancredo	Wexler	Young (FL)	Horn	McGovern	Schakowsky
Johnson (IL)	Napolitano	Skelton				Hoyer	McHugh	Schiff
Johnson, E. B.	Neal	Slaughter				Hulshof	McKinney	Scott
Jones (OH)	Nethercutt	Smith (MI)				Inlee	McNulty	Serrano
Kanjorski	Ney	Snyder				Israel	Meehan	Shaw
Kaptur	Nussle	Solis				Jackson (IL)	Meek (FL)	Shays
Kennedy (MN)	Oberstar	Spratt				Jackson-Lee (TX)	Menendez	Sherman
Kildee	Obey	Stark				Jefferson	Millender-Simmons	Sherwood
Kind (WI)	Oliver	Stenholm				John	McDonald	Simmons
Kleczka	Osborne	Strickland				Johnson (CT)	Miller, George	Skeen
Kolbe	Ose	Stump				Johnson (IL)	Mink	Skelton
Kucinich	Otter	Stupak				Johnson, E. B.	Mollohan	Slaughter
LaFalce	Owens	Sununu				Jones (OH)	Moore	Smith (NJ)
LaHood	Oxley	Sweeney				Kanjorski	Moran (KS)	Snyder
Lampson	Pastor	Tanner				Kaptur	Moran (VA)	Solis
Langevin	Paul	Tauscher				Kelly	Morella	Souder
Lantos	Payne	Taylor (MS)				Kennedy (RI)	Murtha	Stark
Larsen (WA)	Pelosi	Terry				Kildee	Nadler	Stenholm
Larson (CT)	Peterson (MN)	Thompson (CA)				Kind (WI)	Napolitano	Strickland
Latham	Peterson (PA)	Thompson (MS)				King (NY)	Neal	Stupak
Leach	Petri	Thornberry				Kirk	Oberstar	Sweeney
Lee	Phelps	Thune				Kleczka	Obey	Tanner
Levin	Pickering	Thurman				Kolbe	Oliver	Tauscher
Lewis (GA)	Platts	Tiahrt				Kucinich	Ortiz	Thompson (CA)
Lofgren	Pomeroy	Tiberi				LaFalce	Osborne	Thompson (MS)
Lowey	Portman	Tierney				Lampson	Ose	Thune
Luther	Price (NC)	Toomey				Langevin	Owens	Thurman
Lynch	Quinn	Towns				Lantos	Pallone	Tiahrt
Maloney (CT)	Rahall	Turner				Larsen (WA)	Pascarell	Tierney
Maloney (NY)	Ramstad	Udall (CO)				Larson (CT)	Pastor	Towns
Manzullo	Rangel	Udall (NM)				Latham	Payne	Turner
Markey	Regula	Upton				Leach	Pelosi	Udall (CO)
Mascara	Rehberg	Velazquez				Lee	Peterson (MN)	Udall (NM)
Matheson	Rivers	Visclosky				Levin	Phelps	Velazquez
Matsui	Roemer	Walden				Lewis (CA)	Pomeroy	Visclosky
McCarthy (MO)	Ross	Walsh				Lewis (GA)	Price (NC)	Walsh
McCarthy (NY)	Roybal-Allard	Wamp				Lipinski	Quinn	Waters
McCollum	Rush	Watkins (OK)				LoBiondo	Rahall	Watson (CA)
McDermott	Ryan (WI)	Watson (CA)				Lofgren	Ramstad	Watt (NC)
McGovern	Ryun (KS)	Watt (NC)				Lowey	Rangel	Waxman
McHugh	Sabo	Waxman				Luther	Reyes	Weiner
McIntyre	Sanchez	Weiner				Lynch	Rivers	Weller
McKinney	Sanders	Weldon (PA)				Maloney (CT)	Roemer	Wexler
McNulty	Sandlin	Weller				Maloney (NY)	Ros-Lehtinen	Wilson (NM)
Meehan	Sawyer	Whitfield				Markey	Ross	Woolsey
Meeks (NY)	Schakowsky	Wilson (NM)				Mascara	Rothman	Wu
Millender-	Schiff	Woolsey					Roybal-Allard	Wynn
McDonald	Scott	Wynn						
Miller, George	Sensenbrenner							
	Serrano							

NAYS—143

Ackerman	Duncan	Lewis (KY)
Aderholt	Dunn	Linder
Andrews	Engel	Lipinski
Armey	Everett	LoBiondo
Bachus	Ferguson	Lucas (KY)
Baker	Fletcher	Lucas (OK)
Ballenger	Foley	McCrery
Barr	Forbes	McInnis
Bartlett	Fossella	McKeon
Barton	Frelinghuysen	Meek (FL)
Berkley	Gephardt	Menendez
Billirakis	Gibbons	Mica
Blunt	Gilman	Miller, Dan
Boehner	Goode	Miller, Gary
Bonilla	Goodlatte	Miller, Jeff
Bryant	Goss	Myrick
Burr	Graham	Northup
Burton	Granger	Norwood
Buyer	Green (TX)	Ortiz
Calvert	Grucci	Pallone
Cannon	Gutierrez	Pascarell
Cantor	Gutknecht	Pence
Capito	Hart	Pitts
Chabot	Hastings (WA)	Pombo
Chambliss	Hayes	Putnam
Coble	Hayworth	Reyes
Combest	Hoekstra	Reynolds
Cooksey	Hunter	Rogers (KY)
Cox	Hyde	Rogers (MI)
Crenshaw	Jenkins	Rohrabacher
Crowley	Johnson, Sam	Ros-Lehtinen
Culberson	Jones (NC)	Rothman
Cunningham	Keller	Roukema
Davis, Jo Ann	Kelly	Royce
Davis, Tom	Kennedy (RI)	Saxton
Deal	Kerns	Schaffer
DeLay	King (NY)	Schrock
Deutsch	Kingston	Sessions
Diaz-Balart	Kirk	Shadegg
Doolittle	Knollenberg	Shaw
Dreier	Lewis (CA)	Shuster

NOT VOTING—18

Blagojevich	Gilchrest	Pryce (OH)
Bonior	Hinche	Radanovich
Condit	Houghton	Riley
Crane	Kilpatrick	Rodriguez
DeGette	LaTourette	Smith (WA)
Ganske	Moore	Traficant

□ 1907

Mr. ORTIZ changed his vote from “yea” to “nay.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HINCHEY. Mr. Speaker, I was unavoidably detained en route to the Capitol this afternoon. I would like the RECORD to reflect that had I arrived here in a more timely fashion and had an opportunity to vote on the motion to instruct conferees with regard to the Cuba issue, I would have voted “yea.”

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001, OFFERED BY MR. BACA

The SPEAKER pro tempore (Mr. LINDER). The unfinished business is the question of agreeing to the motion to instruct on H.R. 2646 on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. BACA).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 171, not voting 19, as follows:

[Roll No. 106]

YEAS—244

Abercrombie	Cardin	Ehlers
Ackerman	Carson (IN)	Engel
Allen	Carson (OK)	Eshoo
Andrews	Castle	Etheridge
Baca	Clay	Evans
Baird	Clayton	Farr
Baldacci	Clement	Fattah
Baldwin	Clyburn	Ferguson
Barcia	Conyers	Filner
Barrett	Foley	Ford
Becerra	Costello	Frank
Bentsen	Coyne	Frost
Berkley	Crowley	Gekas
Berman	Cummings	Gephardt
Berry	Davis (CA)	Gillmor
Biggert	Davis (FL)	Gilman
Bishop	Davis (IL)	Gonzalez
Blumenauer	Davis, Tom	Gordon
Boehler	DeFazio	Green (TX)
Bono	Delahunt	Grucci
Borski	DeLauro	Gutierrez
Boswell	Deutsch	Hall (OH)
Boucher	Diaz-Balart	Hall (TX)
Boyd	Dicks	Harman
Brady (PA)	Dingell	Hastings (FL)
Brown (FL)	Doggett	Hill
Brown (OH)	Dooley	Hilliard
Capps	Doyle	Hinche
Capuano	Dreier	
	Edwards	

NAYS—171

Aderholt	Doolittle	Kingston
Akin	Duncan	Knollenberg
Armey	Dunn	LaHood
Bachus	Ehrlich	Lewis (KY)
Baker	English	Linder
Ballenger	Everett	Lucas (KY)
Barr	Flake	Lucas (OK)
Bartlett	Fletcher	Manzullo
Barton	Forbes	McCrery
Bass	Fossella	McInnis
Bereuter	Frelinghuysen	McIntyre
Bilirakis	Gallegly	McKeon
Blunt	Gibbons	Mica
Boehner	Goode	Miller, Dan
Bonilla	Goodlatte	Miller, Gary
Boozman	Goss	Miller, Jeff
Brady (TX)	Graham	Myrick
Brown (SC)	Granger	Nethercutt
Bryant	Graves	Ney
Burr	Green (WI)	Northup
Burton	Greenwood	Norwood
Buyer	Gutknecht	Nussle
Callahan	Hansen	Otter
Calvert	Hart	Oxley
Camp	Hastings (WA)	Paul
Cannon	Hayes	Pence
Cantor	Hayworth	Peterson (PA)
Capito	Hefley	Petri
Chabot	Herger	Pickering
Chambliss	Hilleary	Pitts
Coble	Hobson	Platts
Collins	Hoekstra	Pombo
Combest	Hostettler	Portman
Cooksey	Hunter	Putnam
Cox	Hyde	Regula
Cramer	Isakson	Rehberg
Crenshaw	Issa	Reynolds
Cubin	Istook	Rogers (KY)
Culberson	Jenkins	Rogers (MI)
Cunningham	Johnson, Sam	Rohrabacher
Davis, Jo Ann	Jones (NC)	Roukema
Deal	Keller	Royce
DeLay	Kennedy (MN)	Ryan (WI)
DeMint	Kerns	Ryun (KS)

Saxton	Stump	Vitter
Schaffer	Sullivan	Walden
Schrock	Sununu	Wamp
Sensenbrenner	Tancredo	Watkins (OK)
Sessions	Tauzin	Watts (OK)
Shadegg	Taylor (MS)	Weldon (FL)
Shimkus	Taylor (NC)	Weldon (PA)
Shows	Terry	Whitfield
Shuster	Thomas	Wicker
Simpson	Thornberry	Wilson (SC)
Smith (MI)	Tiberi	Wolf
Smith (TX)	Toomey	Young (AK)
Stearns	Upton	Young (FL)

NOT VOTING—19

Blagojevich	Gilchrest	Riley
Bonior	Houghton	Rodriguez
Condit	Kilpatrick	Smith (WA)
Crane	LaTourette	Spratt
DeGette	Meeks (NY)	Traficant
Emerson	Pryce (OH)	
Ganske	Radanovich	

□ 1916

Mr. FOSSELLA and Mr. MCINTYRE changed their votes from "yea" to "nay."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, today I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 104, the motion to suspend the rules and pass H.R. 3839; "yea" on rollcall No. 105, on the motion offered by Mr. DOOLEY of California to instruct conferees on H.R. 2646; and "yea" on rollcall No. 106, on the motion offered by Mr. BACA of California to instruct conferees on H.R. 2646.

□ 1915

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 448

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 448.

The SPEAKER pro tempore (Mr. LINDER). Is there objection to the request of the gentleman from Washington?

There was no objection.

ANNOUNCEMENT OF INTENTION TO
OFFER MOTION TO INSTRUCT
CONFEREES ON H.R. 2646, FARM
SECURITY ACT OF 2001

Ms. HOOLEY of Oregon. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2646. The form of the motion is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to bill H.R. 2646 be instructed to agree to the provisions contained in section 1001 of the Senate amendment and section 944 of the House bill, relating to country of origin labeling requirements for agricultural commodities, but to insist on the 6-month implementation deadline contained in the House bill.

PERSONAL EXPLANATION

Mr. GRUCCI. Mr. Speaker, I would like to officially state for the record that I incorrectly recorded my vote on rollcall No. 100 on Thursday, April 18, 2002, as a "no" vote. I intended to vote "yea" in favor of the motion to instruct conferees on the Farm Security Act, H.R. 2646.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the further motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Such record vote, if postponed, will be taken tomorrow.

COMMENDING DISTRICT OF CO-
LUMBIA NATIONAL GUARD, THE
NATIONAL GUARD BUREAU AND
ENTIRE DEPARTMENT OF DE-
FENSE FOR ASSISTANCE PRO-
VIDED IN RESPONSE TO TER-
RORIST AND ANTHRAX ATTACKS
OF SEPTEMBER AND OCTOBER
2001

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 378) commending the District of Columbia National Guard, the National Guard Bureau, and the entire Department of Defense for the assistance provided to the United States Capitol Police and the entire congressional community in response to the terrorist and anthrax attacks of September and October 2001.

The Clerk read as follows:

H. CON. RES. 378

Whereas the terrorist and anthrax attacks of September and October 2001 required Congress and the entire Congressional community to respond to a heightened state of emergency;

Whereas the men and women of the United States Capitol Police were required to shoulder the greatest burden of this emergency response by working tremendously increased hours under difficult conditions, requiring great sacrifices by them and their families;

Whereas the District of Columbia National Guard responded to the call of the Capitol Police Board and provided National Guard troops to assist the United States Capitol Police in protecting the Capitol complex, providing great relief to the members of the United States Capitol Police; and

Whereas the combined efforts of the United States Capitol Police and the District of Columbia National Guard have made the Capitol complex secure for Members of Congress, Congressional employees, and visitors, and thereby have enabled Congress to continue to discharge its constitutional duties on behalf of the American people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress commends the District of Columbia National Guard, the National Guard Bureau, and the entire Department of Defense for the assistance pro-

vided to the United States Capitol Police and the entire Congressional community in response to the terrorist and anthrax attacks of September and October 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

This is an important House concurrent resolution. It is number 378. It commends the District of Columbia National Guard, the National Guard Bureau, and the Department of Defense for the assistance provided to the United States Capitol Police and the entire congressional community in response to the terrorist and anthrax attacks of September and October of 2001.

As a result of the attacks, the Capitol Police implemented additional security measures and began working lengthy hours, which continue to this day. With the assistance of the National Guard, the Capitol Police were relieved from the necessity of working even longer hours and, therefore, helped to lessen the sacrifices that needed to be made by our hard-working officers and their families.

The National Guard has played an integral role in providing security to the U.S. Capitol and, by extension, its visitors, staff, Members of the House and the Senate, and the entire Nation. This additional security has allowed the House of Representatives to truly remain the people's House by keeping our doors open and our halls safe and allowing Members of this great institution to carry on the most important responsibility of doing the people's business. Also, it has been for the safety and security of the countless thousands of visitors that we have had to the U.S. Capitol.

Let me just say, Mr. Speaker, that we had a very, very unusual situation after September 11 in this Capitol and many people, and I could not begin to name all the names, but people who have worked, our officers of the House, their staff; when I say officers I am talking about the CAO, the Clerk, the Architect of the Capitol and the Sergeant at Arms, all the staff on both sides of the aisle, Members of the Committee on House Administration.

I want to commend the gentleman from Maryland, (Mr. HOYER), our ranking member, and all of the Members on both sides of the aisle, Mr. Speaker, because they also put in countless hours to make sure this entire system continued to operate.

Obviously those who committed these heinous crimes in the United States wanted our system not to operate, but the people's House has continued and has continued to be open and has done so because again of the courageous people.

Mr. Speaker, again this is a very important and serious resolution, and we

also want to recognize again all of our officers of Capitol Hill, everybody that played a part in doing their job and the tremendous sacrifices. This resolution is geared towards today the Guard, and the Guard has left the Capitol complex, and so we want to honor them, we want to thank them; and for this, our country is grateful. I cannot thank them enough for their hard work and assistance in the challenging months.

I urge full support of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

I support, clearly, the gentleman from Ohio's (Mr. NEY) motion and congratulate him for bringing this matter to the floor in such a timely fashion.

For 5 months, Mr. Speaker, more than 130 men and women of the District of Columbia National Guard stood watch here at the Capitol complex alongside our own Capitol Police. They superbly assisted the Capitol Police in the discharge of their principal duty, which is to enable Congress to operate securely in the discharge of its constitutional responsibilities.

With the support of the National Guard Bureau and the Department of Defense, the men and women of the District of Columbia Guard helped make it possible for Congress to continue its work. For that, all Members are thankful.

The men and women of the Guard also enabled our Capitol Police to have some measure of much needed rest and relief. Even with the Guard's help, Capitol Police officers worked 12-hour shifts during the last 7 months, most for 6 days a week. I hope all the Members heard that because it is not appropriate that we allow that to continue. It is not appropriate for our security. It is not appropriate for the safety of our men and women in the Capitol Police. It is not appropriate for their families.

Fortunately, that grueling schedule has somewhat subsided. It doubtless would have been even more demanding, however, without the assistance of the diligent, dedicated Guardsmen and -women, and for that, as I said, we are most thankful.

Mr. Speaker, the men and women of the District of Columbia Guard distinguished themselves in this undertaking. They discharged this extraordinary duty with diligence, professionalism, dedication and good humor. I will include at this point in the RECORD a complete list of their names.

TASK FORCE CAPITOL GUARDIAN (DCNG)

Abele, Timothy, SPC, Addison, Mark, SGT, Aiken, Anthony, SPC, Allen, Tekeshia, OC, Armstrong, John, SSG, Atkinson, Anthony, SSG, Baird, Gordan, SFC, Baker, Anthony, SSG, Barnes, Samuel, SPC, Belton, Karla, SPC, Bennett, Carolyn, SGT, Black, John, SPC, Blankenship, Todd, CPL, Bloodworth, Stephen, SSG, Brooks, Geoffrey, MAJ, Brown, Anthony, SFC, Bryan, Rosemary, SPC, Cammon, Melvin, SGT, Carr, Jerry, SGT, Clark, Karen, SPC.

Clemons, Rodney, SGT, Clinton, Jerry, SSG, Coates, Elizabeth, SPC, Coles, Chris-

topher, CPL, Coley, Antonio, SSG, Cotton, Chandler, SGT, Cradie, Tavar, PFC, Dancy, Julius, SGT, Davis, Derwin, SPC, Davis, Michael, MSG, Day, Albert, SPC, Douglas, Kirk, SGT, Doye, James, SSG, Elmore, Albert, SGT, Emiabata, Abayomi, SFC, Espinosa, Angelo, SPC, Fenton, Keith, SSG, Frost, Dwayne, SPC, Goodwin, Shannon, SSG, Graham, James, SGT.

Gray, Devon, 1LT, Green, Marion, SGT, Hailstark, Jacelyn, SPC, Hall, Robert, SGT, Harris, David, SGT, Hayes, Stephanie, SPC, Height, Ramonz, SSG, Henry, Alvin, SFC, Hill, David, SPC, Hill, Steven, SGT, Hinaman, Arthur W., LTC, Hoffman, Mary, SPC, Hudson, Leonard, SFC, Hughes, Rachel, 1LT, Hutchins, James, SPC, Jackson, Anthony, MAJ, Jackson, William, SFC, Jenkins, Deron, SGT, Johnson, Dennis, 1SG, Johnson, Trinette, SPC.

Jones, John, SPC, Jones, Rasheeda, SPC, Jones, William, SPC, Kinley, Roland, MSG, Lancaster, Arthur, SPC, Lawton, Denny, SSG, Lee, Dennis, SGT, Lewis, Timothy, SPC, Luu, The Khai, 2LT, Magruder, Paulette, SFC, Mason, Kenneth, SPC, Maynard, Arturo, SGT, McArthur, Charlie, SGT, McGrath, Joseph, 1LT, McKinnis, Francis, PFC, McLaurin, Joann, SSG, McMillian, Charles, SGT, Metts, Nathaniel, SSG, Mickens, George, SGT, Miles, Robert, SSG.

Minor, William, SSG, Mitchell, Juan, SSG, Muhammad, Franacine, SPC, Nathan, William, SPC, Nelson, Cartone, SPC, Newman, Agnes, SGT, Nicholson, Maurice, SPC, Parker, Dwight, SPC, Patterson, Rodney, MAJ, Pollard, Shanita, SPC, Powell, Steven, SFC, Prailow, Melvin, SPC, Prat, Glynn, SFC, Queen, Denise, SGT, Queen, Mark, SGM, Ramdat, Awadit, SGT, Richardson, Vicki, SPC, Robinson, Aaron, SPC, Robinson, Lawrence, SPC, Roy, Chris, SGT.

Samuel, Rodger, SSG, Scott, Jay, SPC, Semper, George, SSG, Shirk, Terrence, SFC, Shuford, Robert, SSG, Singleton, Nebra, SGT, Smith, Rudolph, SFC, Spencer, Rodney, SFC, Steedly, Mark, SGT, Sterling, Karen, SSG, Summers, William, SPC, Sutton, Tamara, SGT, Taylor, Ramon, SSG, Taylor, Regina, SSG, Taylor, Ronald, SGT, Terry, Melvin, SSG, Thomas, Aretha, SPC, Travers, Victor, SPC, Turner, Gary, SPC, Tyler, Edward, SGT.

Valdivia, Gerard, 2LT, Walker, Sharon, SSG, Warren, Ralph, SFC, Washington, Trina, SGT, Watson, David, SFC, Wellington, Larry, SSG, Wells, William, SSG, White, Quion, SPC, Whitley, Vanessa, SGT, Wiggins, Donald, SPC, Wilkins, Ricardo, SGT, Williams, Angela, SPC, Williams, Edward, SPC, Wilson, Jack, SGT, Wilson, Lashon, SPC, Wilson, Morris, SGT, Wilson, Reggie, SPC, Woodall, Brian, SSG, Young, David, SGT, Zollicoffer, Randolph, SSG, Freeman, Warren L., MG—DCNG Commanding General.

They brought honor upon themselves as individuals and upon the District of Columbia and the National Guard. They also brought honor upon this Capitol, managed in a very efficient, effective, secure way.

The National Guard, of course, is a cornerstone of our national defense establishment, and these men and women represented it well. We greatly appreciate the willingness of men and women from every walk of life to serve when needed, at home and abroad, to help keep this Nation free and secure.

The National Guardsmen and -women who served here at the Capitol have now resumed their normal duties. They certainly deserve the salute of this House. This resolution, Mr. Speaker,

commends the Guard, the Guard Bureau, and the Defense Department for a job well done. It records their contribution to the security of our democracy.

I note that this resolution resembles one introduced by the gentleman from Illinois (Mr. DAVIS) on April 10. The fact that multiple resolutions have been introduced demonstrates the affection and gratitude Members have for the men and women whom we met and who served our Nation and our Capitol.

Mr. Speaker, I urge every Member to support this motion, as I am sure they will.

Mr. Speaker, I reserve the balance of my time.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

I also wanted to commend the gentleman from Illinois (Mr. DAVIS) and also the gentleman from California (Mr. ISSA) and all the other cosponsors, 104, but those two have worked diligently to bring this issue to the forefront, and I want to give them the credit. They are very concerned, as all Members are.

Let me note one thing, too, a statement the gentleman from Maryland (Mr. HOYER) mentioned. He is correct; there is going to be a cooperative working relationship, as we have had all year long and during this crisis, of our staffs to look at those hours because the gentleman from Maryland is completely correct about those hours and the safety and security of the Capitol, but those were countless hours I had mentioned. But we owe an obligation to the officers and to the staff of the Hill and the visitors to look at those hours and to do something with them. We pledge that we are going to do that.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA), my distinguished colleague.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman not only for yielding me the time but for his sponsorship of this resolution that has a great significance. I want to thank the gentleman from Maryland (Mr. HOYER) also for his sponsorship of it, and all of the people who are speaking for it, and all of the Members of the House who care about the kind of service that we have received from the District of Columbia National Guard.

I am pleased to be here to give thanks to the members of the District of Columbia's National Guard, the National Guard Bureau, and the Department of Defense. For nearly 5 months the men and women of the District of Columbia Army National Guard answered the call of duty to help protect the Nation's Capitol complex, and they did it with grace, efficiency, and thoroughness. They watched over us 24 hours a day, 7 days a week, compiling an incredible total of 207,120 hours of work over 150 days.

This was time away from their loved ones, time away from their places of employment, time they spent in service to their country, and we are deeply grateful for that service.

The members of the D.C. Army National Guard, specifically the 260th Military Police Command, the 260th Regional Training Institute, the 74th Troop Command, the Headquarters District Area Regional Command, and the 33rd Civil Support Team, all worked alongside the officers of the Capitol Police to whom we also owe a great debt of thanks. The officers of the Capitol Police Department performed under a heavy burden, protecting the Capitol complex under a crisis situation and logging many, many long days in the process.

When it came time to give the men and women of the Capitol Police some much needed help, the National Guard was there. The fact that these two entities, the National Guard and the Capitol Police, were able to work together so seamlessly is a testament to the professionalism of both of them. This represented a new situation for both agencies, and they adapted well to a tough assignment.

I am honored to be here today to be able to publicly thank them for their service.

Mr. HOYER. Mr. Speaker, we have been talking about the Washington, D.C., National Guard. I am very pleased to yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who represents the District so very, very well.

Ms. NORTON. Mr. Speaker, I first thank the gentleman from Maryland for yielding me this time. He knows, I am sure, what it means to me and to the residents of the District of Columbia that the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) have provided such thoughtful leadership in bringing forward this resolution in honor of our D.C. National Guard, the Guard Bureau, and the Defense Department, and I want to focus in on the 131 members of the D.C. National Guard whose sacrifice of time spent with their families and of career advancement was so important to us for the last 5 months.

□ 1930

I do not think anybody will ever call them weekend warriors again, not considering the hours they put in for us.

And who were they? It is very hard to somehow make us all understand precisely who these young men and women were. I went to a ceremony in honor of them on their last day, but think of their representatives as being Sergeant Charles McMillian, who lives in Esther Place, Southeast, has one daughter; or Specialist Elizabeth Coates, who has served for 17 years, is married, and lives in Northeast Washington; or of Sergeant Trina Washington, with 20 years of service, two children, and who lives in Northeast Washington.

When you have been in the service that long and you have a life, you are certainly not prepared for what we called upon these Guards people to do. What you are prepared for is what they

do or have done for us in the District of Columbia. They are much revered and honored in our city. They were there during the civil defense operations as a part of the 2001 IMF World Bank demonstration. They expect that kind of duty. They expected to be on duty during the Y2K transition. They knew they would be called in the blizzard of 1996. But they could never have dreamed that they would be helping in round-the-clock service to the Capitol of the United States.

Our Capitol Police were working 10 hours a day, 7 days a week. Murderous hours. We have heard the Chair and the ranking member speak about how we are going to do something about that, but could not do something about it right away. There was no place to turn, no place to go; and so we turned to the National Guard, who in the history of this country have probably never had anything like this kind of duty.

Their presence was so important. Their presence, along with that of the Capitol Police, restored a sense of calm and confidence in this place, especially to staff. Members had no reason, they are elected, they are supposed to have a sense of calm and confidence no matter what happens to this place, but the many number of people who serve us as staff I do not think their parents sent them here to see them panicked about whether or not this place would be safe. Nothing, in fact, was more reassuring than coming to work and being greeted by the Capitol Police and the D.C. National Guard. Somehow you thought everything was going to be all right when you saw them there.

I want us to remember that these people had a life, had full-time careers, some were very young, many were at the height of their careers; and not only were their careers put on hold but their lives were put on hold. When the Capitol Police did the very same thing, this Congress came forward with a concurrent resolution. The Capitol Police are favorites of mine. I live with them 7 days a week, and I know what they do for this place; but I must say that I think it is especially appropriate for the Congress today to do for the Guard what we have already done in expressing our appreciation for the Capitol Police.

It is difficult to know how 440 Members of the House and 100 Members of the Senate can say thank you. I think that a concurrent resolution, always reserved for extraordinary performance, is an appropriate way; and that is the kind of thank you that we give the National Guard today.

Mr. HOYER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Illinois (Mr. DAVIS), who had a similar resolution expressing a similar sentiment.

Mr. DAVIS of Illinois. Mr. Speaker, I want to first of all thank the gentleman from Maryland for yielding me this time, and I rise today in support of H. Con. Res. 378, to honor the men and women of the District of Columbia's

National Guard for their extraordinary service and assistance to the United States Capitol Police.

I would like to thank the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for their leadership in bringing this legislation to the floor to commend the D.C. National Guard for their assistance after the attacks of September 11 and the anthrax attacks on the Capitol. And, Mr. Speaker, I also want to thank and acknowledge the gentleman from California (Mr. ISTOOK) for his efforts and commitment in paying tribute to the National Guard's dedication to the Capitol by also introducing a similar resolution April 10, 2002, with over 120 cosponsors.

Mr. Speaker, I also introduced a similar resolution, as has been noted, on April 10, 2002, the final service day of these men and women, because I felt it was only appropriate for my fellow colleagues and I to pay homage to the men and women protecting our lives and our Nation's Capitol. There were a total of 220 men and women from the D.C. National Guard who assisted the Capitol Police from November 12, 2001, to April 10, 2002. These men and women worked a remarkable 207,120 hours in 150 days by providing perimeter security, barricade support, and vehicular inspection 7 days a week, 24 hours a day.

As has already been noted, Mr. Speaker, they sacrificed their holidays, weekends, and time with their families to ensure the safety of the Capitol. In addition to lending their resources to the Nation's Capitol, the D.C. National Guard has also played significant roles in our Nation's past armed conflicts, such as World War II, Operation Desert Storm, and Operation Joint Endeavor.

I join with my colleagues in sending my deepest gratitude to the units involved in protecting the Nation's Capitol: the 260th MP Command, the 74th Troop Command, the 260th Regional Training Institute, the Headquarters District Area Regional Command, the 121st Criminal Investigation Detachment, and the 33rd Civil Support Team for their extraordinary service, their protection of the U.S. Capitol, the safety of the Members of Congress, congressional staff, and visitors to the U.S. Capitol, and for their assistance to the Capitol Police.

Mr. Speaker, I also want to congratulate the D.C. National Guard, who will be celebrating their 200th year in service next week on May 3rd. Again, I urge all Members of this honorable body to support this resolution and convey once again to the D.C. National Guard our gratitude for the tremendous service that they have provided to all of us as well as to the Nation.

Once again, Mr. Speaker, I thank and commend the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I yield myself the balance of my time and thank the gentleman from Illinois for his very appropriate comments.

We reiterate that we owe a debt of gratitude to these men and women of the D.C. National Guard and thank them for their service.

Mr. Speaker, I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FORBES). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 378.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of House Concurrent Resolution 378, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Mr. THUNE) is recognized for 5 minutes.

(Mr. THUNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OIL DISTORTS U.S. FOREIGN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the recent events in Venezuela have given the American people yet another example of the way that oil distorts U.S. foreign policy. Most Americans do not realize it, but Venezuela is a crucial supplier of oil to the United States. According to the CIA, petroleum dominates the Venezuelan economy, accounting for approximately one-third of its economy and 80 percent of its export earnings. In fact, Venezuela ranks third on the list of countries that provide with us petroleum, approximately 1.5 million barrels every day, or more than half of its total production.

Stanley Weiss, founder and chairman of Business Executives for National Security, a nonpartisan organization of business leaders, wrote recently in the Los Angeles Times that the United States imports twice as much oil from Canada and Venezuela as it does from the Persian Gulf. And Venezuela is particularly important as a source of reformulated gasoline, which is required in many American cities that are struggling to meet USEPA emission standards for clean air.

Every time an American citizen pulls up to a Citgo gas pump, they are pumping dollars into the Venezuelan national oil company known as Pedevesa. And it was labor unrest at the Pedevesa facilities throughout Venezuela that helped to spur the 1-day coup against Venezuelan President Hugh Chavez.

So important is Venezuelan oil to the world's market that the price of oil dropped precipitously after Chavez was deposed and rebounded just as quickly when he was restored to power by the people of Venezuela.

The Bush administration, which is dominated by oil in much the same manner as the Venezuelan economy, could barely contain its glee when President Chavez was overthrown in a coup d'etat. Meanwhile, every other government in this hemisphere reacted negatively to the overthrow of a democratically elected government. By putting the interests of the oil economy first and democratic rule second, the Bush administration not only found itself out of step with every other government in Latin America but foolishly forfeited the high moral ground.

Now the administration has a lot of sorting out to do. It has to explain to Congress about what really happened in Venezuela. Did the Bush administration actively encourage antidemocratic forces to overthrow a leader with whom we happen to disagree? Did the Bush administration give a wink and a nod to the coup plotters? Under what authority was the Bush administration acting when U.S. military advisers found themselves on the side of the insurgents? When was that action au-

thorized by the Congress of the United States? When did President Bush learn about the attempted coup and direction was given to U.S. diplomats, military officials, and advisers in the region? What did they receive from the White House, the State Department or the Defense Department? What relationship does the President, Vice President, or any of his advisers have with any oil interests in Venezuela? On whose order did the Bush administration officials choose not to speak out against the overthrow of a democratically elected president from a nation that is America's third largest oil supplier?

The United States simply must occupy the moral high ground. We are engaged in a worldwide battle against terrorism and antidemocratic forces. We are trying to show the rest of the world what it means to stand up for democratic values. Not to support a legitimately elected government, no matter how much we may disagree with its president, has damaged the perception of the United States as a standard bearer for legitimate elections and democratic governments.

The Organization of American States took a position diametrically opposed to this country's position. I hope the Committee on International Relations demands a full explanation by the Bush administration so there is no repeat of this sorry performance. President Chavez should understand that Americans believe in democracy and view Venezuela as a friend, not just as an oil well. And the American people can take from this latest sordid experience another lesson in the many ways in which dependence on foreign oil distorts our politics and our policy.

Mr. Speaker, I submit herewith for the RECORD two articles, one from the Toledo Blade that talks about the administration's flip-flop in our policy towards Venezuela, and also a time line and related article from the New York Times on "2 days that Shook Venezuela: The Fall, and Return, of President Hugo Chavez."

[From the New York Times, Apr. 20, 2002]
2 DAYS THAT SHOOK VENEZUELA: THE FALL,
AND RETURN, OF HUGO CHÁVEZ

The killings at the anti-Chávez demonstration rocked the country, reviving memories of the violent events in 1989, known as the Caracazo, in which hundreds were killed by government forces. Venezuelans across the political spectrum swore that such violence would never take place again.

According to witnesses, shots were fired from several buildings as well as from a bridge one block from the presidential palace, which overlooks the route of the march. One of the buildings that witnesses identified as a source of gunfire contains the offices of Freddy Bernal, the mayor of the borough that includes downtown Caracas and one of the leaders of the Bolivarian Circles.

Eddie Ramirez, an executive with the state oil company, was in a part of the march that came close to the presidential palace. "Shots were fired from a building," he said. "I think there were people there waiting for us, and some crazy person started to shoot."

None of the snipers who fired from rooftops (as opposed to the bridge) have been identified, with pro-Chávez forces arguing that

much of the gunfire was directed at Miraflores Palace and that some anti-Chávez demonstrators were also armed.

Since Mr. Chávez's return to power last Sunday, his followers have sought to place the blame for the killings on the Metropolitan Police, which reports to one of his main political adversaries, Alfredo Peña, the mayor of Caracas. However, after an independent investigation, the country's two main human rights groups concluded that the shootings took place "to minimize the action of the opposition with the acquiescence of organisms of the state," and police and military officers.

Gen. Néstor González, an ally of Mr. Chávez who broke with the president early last week, said that the military high command already had information at midday that there would be an attack on the anti-Chávez march. He said this week that the top commanders learned of the plans from "a general who had personally infiltrated in the Bolivarian Circles."

As the confrontation in the streets raged, Mr. Chávez ordered all television stations to join a national network and began delivering a speech warning Venezuelans "not to fall into provocation." But independent stations split the screen so as to continue broadcasting the violence near the palace. Their transmissions signals were cut, and public opinion began turning against Mr. Chávez.

Feeling vulnerable, Mr. Chávez ordered tanks and troops to move to the palace from army headquarters at Fort Tiuna, in Caracas. But military commanders, fearing a repetition of the 1989 bloodshed, told the president that they would not obey him. "The result would have been a massacre," General González said. Military dissidents who had plotted against Mr. Chávez had sought out business leaders thought to be sympathetic. They included Pedro Carmona Estanga, the president of Fedecámaras, the main national business confederation.

Entreaties were also made to the American Embassy here but it appears they did not meet with encouragement.

"They were always impeccable at the embassy, from the ambassador on down," said a businessman who was a witness to several "what if" conversations. "I can't tell you the number of times they made it clear that they would not countenance a coup. There was no winking going on, either. They would always say, 'We do not want a rupture.'"

Other anti-Chávez groups also traveled to the United States to meet with Mr. Cisneros, the media magnate who has business interests there, and with American officials. The Bush Administration's two top officials for Latin American policy, Assistant Secretary of State Otto Reich and John Maisto, the national security adviser for Latin America, are both former ambassadors to Venezuela and have maintained close ties with business, political and news media leaders here.

So early on Thursday night top military officers, including the army commander, Gen. Efraín Vázquez Velasco, were confident when they delivered an ultimatum to Mr. Chávez: you must quit. Cornered, Mr. Chávez said he was unwilling to resign but would agree to "abandon his functions," a slightly different procedure under Venezuelan law that would require the approval of the National Assembly, in which Mr. Chávez has a majority.

The key figure in the hours of negotiations that followed was the armed forces commander, Gen. Lucas Rincón Romero, whose true loyalties still are not clear. Early on Friday, he announced that Mr. Chávez had "resigned," which led 90 minutes later to Mr. Carmona being named as head of a military-supported transitional government.

That part is still confusing to me," Mr. Carmona said of General Rincón's actions

and statements this week, after he was placed under house arrest and General Rincón was once again at Mr. Chávez side, apparently forgiven by the president. "There are facts that are still in a gray area."

By midmorning on Friday, Mr. Chávez, himself a former army colonel who in 1992 led a failed coup attempt, looked to be finished. He was being held in military custody at Fort Tiuna; Cuba was beginning efforts that would have allowed him to go into exile there, and the Bush administration was already signaling its support for the new government.

On Friday morning, the day Mr. Carmona claimed power, Mr. Reich, the assistant secretary, summoned ambassadors from Latin America and the Caribbean to his office. The representative from Brazil read a communiqué that stated that his country could not condone a rupture of democratic rule in Venezuela, diplomats said.

They said Mr. Reich responded that the ouster of Mr. Chávez was not a rupture of democratic rule because he had resigned. "He stressed the position that Chávez was responsible" for his fate, "and said we had to support the new government," said one Latin American envoy.

Almost immediately, though, Mr. Carmona began making the political blunders that would quickly bring him down. After working hand in hand for months with Carlos Ortega, the leader of the Venezuelan Workers' Federation, the country's main labor union group, he named a cabinet that had no labor representatives and was tilted heavily toward a discredited conservative party.

In addition, Mr. Carmona fanned military rivalries by naming two navy officers to the cabinet, including Adm. Héctor Ramírez Pérez as minister of defense instead of General Vázquez Velasco, and none from the army.

"There were many more people with aspirations than space to accommodate them, and they all seemed ready to jump ship when they felt they were being excluded," said Janet Kelly, a political science professor and commentator here.

But the biggest mistake was a decree, announced at Mr. Carmona's swearing-in on Friday afternoon, that dissolved the National Assembly, fired the Supreme Court and called for new presidential elections only after a year. The effect was to suspend the Constitution, which generated immediate opposition to the new government, both at home and in the rest of Latin America.

"In hindsight, it was the most idiotic thing that could have been done," said a person who was at Miraflores for the ceremony. "But we had just come out of an ambush and we were venting our distaste for the people who occupied those positions, so everyone applauded the dissolution."

As Mr. Carmona spoke, military officers were jostling for position behind him, trying to make sure they would appear in photographs in the papers the next day, spectators recalled. But some civilian political leaders were already unhappy with the look of things, and ducked out of the ceremony.

By Saturday morning, it was clear that Mr. Carmona's transition government was floundering. Ambassador Shapiro had breakfast with him at 9 a.m., and told him that dissolving Congress was an error and should be reconsidered.

The government's image was further undermined by raids on the home of some key Chávez supporters. Among those singled out were Tarek William Saab, who as chairman of the congressional Foreign Relations Committee was regarded as Mr. Chávez's main link to Iraq, Iran and Libya; and Ramón Rodríguez Chacín, who as minister of the in-

terior and justice was in charge of the state spy apparatus.

At the same time, though, Mr. Chávez's supporters in the poor neighborhoods of western Caracas were taking to the streets. By early afternoon, thousands were congregating outside Miraflores, demanding that Mr. Chávez be restored.

At Fort Tiuna, though, some 30 generals and admirals were still arguing about who should get what post in the Carmona government. "This was grave for Carmona," said Gen. Rafael Montero, a former minister of defense sympathetic to the anti-Chávez forces. "He didn't have the advice he needed."

With the high command distracted, the presidential guard, which was thought to be loyal to Mr. Chávez but had still not been replaced, was able to retake control of Miraflores. "We never abandoned the president," said Col. Gonzalo Millán a member of the palace guard. He added, "Kings are the only ones who do things by decree, but no one here is a king."

In the interior of the country, unit commanders were also beginning to defy the desk generals and to declare their support for Mr. Chávez. At 1:30 p.m., Gen. Raúl Baduel, commander of a paratrooper brigade in Maracay in which Mr. Chávez himself had once served, and four other senior field officers announced they were rebelling against the new government and began to organize a plan to "rescue" Mr. Chávez from his captors.

Though he had by now been moved from Caracas to a naval base on the coast, Mr. Chávez was still refusing to sign a document of resignation. When a sympathetic corporal named Juan Bautista Rodríguez, a member of the unit watching over the deposed president, learned of Mr. Chávez's position, he offered to smuggle out a message to that effect to encourage the Chávez forces. "I put it at the bottom of a trash can to disguise it," Mr. Chávez said this week. "Later I learned that the soldier had recovered it. I don't know how he did it, but he discreetly transmitted a fax to someone who got the message to Miraflores."

With the balance clearly shifting in favor of Mr. Chávez, who had by now been moved to the Caribbean island of La Orchila, the same military officers who had overthrown him began to distance themselves from Mr. Carmona. At 4:30 p.m. General Vázquez Velasco, still irate at not having been named defense minister, told Mr. Carmona that military support of his government would be withdrawn unless he revoked the offending decree dissolving congress.

Mr. Carmona acted about half an hour later, but by then it was too late. A few blocks away from the palace, the pro-Chávez National Assembly was already convening to appoint Diosdado Cabello, Mr. Chávez's vice president, as interim president, as established by the Constitution.

Around 10 o'clock, Mr. Carmona stepped down and the uprising was effectively over. Four Air Force helicopters headed to La Orchila to pick up Mr. Chávez, who arrived in triumph back at Miraflores around 3:00 a.m. on Sunday.

"I was absolutely sure, completely certain, that we would be back," Mr. Chávez said in a speech to his jubilant supporters. "But you know what? The only thing I couldn't imagine was that we would return so rapidly."

[From the Toledo Blade, Apr. 21, 2002]

DIVISIONS OVER VENEZUELA

FLIP-FLOP PITTS DISLIKE FOR CHAVEZ, ISSUE OF DEMOCRACY

(By Frida Ghitis)

WASHINGTON.—The news from Venezuela blew like a cool breeze on a sweltering summer day for U.S. leaders in Washington following those developments.

Administration officials, tense and tired from watching the unraveling of the Middle East; edgy from suddenly facing domestic criticism that President Bush's policies on terrorism were losing their moral clarity with his call for Israel to stop its actions against Palestinians; weary from threats by Muslim oil producers to suspend oil shipments if the United States didn't get Israel to stop attacking Palestinians, suddenly found reason to rejoice. The word from Venezuela brought a welcome bit of news. The troublesome, often irritating president of the South American country, had moved aside. A new president was taking over. At last, some good news!

Not so fast. What occurred in Venezuela and, more importantly, the way Washington reacted to it, has become a major embarrassment for the Bush administration, which found itself on the defensive, deny charges that, at the very least, it knew about the coup before it happened. Even if those charges are proved to be false, Washington's rejoicing over a bungled coup that kept the Venezuelan out of office for only 48 hours, left the administration open to charges that it turned its back on democracy.

Most think of the Middle East, the Persian Gulf, as the principal source of America's oil. But Venezuela, on the northeastern corner of South America, is one of the world's major oil producers. The country is the third largest provider of oil to the United States, exporting about 1.5 million barrels to America every day. Venezuela, a member of OPEC, long had been one of the organization's least disciplined members, going over its quota frequently and thus making it almost impossible for the oil cartel to control prices. That all changed when the colorful Hugo Chavez came to power.

Mr. Chavez, a former paratrooper who had once led a failed military coup of his own, was elected president democratically with promises of bringing radical change to a country that, although awash in petroleum, suffers from horrific poverty. Just months before he took power in Caracas, a barrel of oil was selling for about \$10, less than half today's price. President Chavez immediately set to transform his country, and to revitalize the oil cartel.

Enjoying enormous popular support, Mr. Chavez tore down and then rebuilt government institutions. He had a new constitution written after his chosen delegates were approved as the drafters of the document. He gained control of the judiciary and the legislature, and he stacked just about every part of government with his supporters, many of them military men. In the process, Mr. Chavez managed to insult the church, calling priests "devils in vestments." He routinely attacked the rich, calling them oligarchs who should move to Miami. Most observers agreed, Mr. Chavez was concentrating powers into his own hands, severely crippling democratic institutions in his country. But he did it all within the law.

Then Mr. Chavez set out to work on the world oil markets. He paid visits to Muammar Kaddafi of Libya, to Saddam Hussein in Baghdad, while continuing to develop a deeply personal friendship with Fidel Castro of Cuba, constantly irritating Washington. Mr. Chavez helped OPEC set production quotas and stick to them. He was instrumental in

producing a tightening of oil supplies that brought oil prices to new levels.

It's not surprising then, that when Venezuela announced a few days ago that Hugo Chavez was no longer its president, oil prices took a sudden drop—about 6 percent (They went back up after he was reinstated). The timing, for the United States and many others, could not have been better. Oil prices had gone up 25 percent this year alone, as the American economy picks up steam, and as tensions in the Middle East continue to mount. Only recently, Saddam announced that he was stopping shipments of oil as a gesture of support for the Palestinians, and Iranian President Mohammed Khatami (the "moderate" Iranian) reiterated his country's call for Muslim countries to stop selling oil for 30 days, also in support of the Palestinians.

What superb timing by the masses in Caracas! On April 11, a large protest by Venezuelan workers, angry over Mr. Chavez's installation of a new board of directors of the traditionally independent national oil company, spun out of control. Tensions had been building for months. The country is sharply divided, with Mr. Chavez's populist rhetoric intensifying class differences. Major military figures had come forth calling for his resignation, and what was once a sky-high approval rating had dipped to about 30 percent. When the protests were met with gunfire from Chavez supporters, the military stepped in and took over. They installed Pedro Carmona Estanga, a business leader who didn't last long.

The head of the country's largest business association was declared president, with an announcement that Mr. Chavez had resigned. But Chavez supporters refused to believe their man had folded. A top executive at the oil company said the country would start pumping more oil, probably exceeding its OPEC quota.

It is unlikely that a single Latin American president felt that Mr. Chavez really would be missed. And yet, the Organization of American States condemned the Venezuelan coup. Almost all democratically elected leaders in the Americas made it clear that, like him or not, Mr. Chavez legally, democratically had been elected president. Removing him constituted an affront against the principle of democracy, a principle worth preserving, even when one disagrees with the outcome of the process. The president of Mexico declared that he would not recognize the new government. Statements throughout the hemisphere condemned what appeared to be a coup. The United States, however, did not speak out against the overthrow of a democratically elected president. American officials stated that Mr. Chavez himself was responsible for the events that lead to his ouster.

The United States did itself enormous damage. Latin America and, for that matter, much of the Third World, where the image of America as a nation that supported despotic regimes that suited its goals during the Cold War has been changing very slowly. When the United States sent troops to Haiti to "restore democracy" many in the hemisphere believed perhaps America was truly standing up for the democracy it claimed to hold so dear. That image now has been set back.

Worse yet, many in Latin America believe that the Bush administration, with a sharp focus on controlling oil markets, played an important part in the failed coup. Washington is denying it ever lent even tacit support to plotters although it admits that Chavez adversaries did seek support, and that the man who took office for a short time after deposing Mr. Chavez was, in fact, in contact with Otto J. Reich at the State Department. Mr. Reich is in charge of Inter-American affairs at the State Department.

The government says the United States did nothing to encourage the assault on democracy. And yet, it is guilty, at the very least, of badly mishandling the crisis in Caracas. The mistakes of mid-April may take years to repair.

[From the Toledo Blade, Apr. 21, 2002]

LATIN POLICY CHIEF GIVES LITTLE TO FOES

WASHINGTON.—Reacting to criticism of the reaction to the resignation and revival of Venezuelan President Hugo Chavez, the Bush administration's chief policy-maker for Latin America, Otto J. Reich, came back swinging. "We have reviewed our actions since last Thursday [April 11]," he said. "I find very little that I would do differently."

Such is the confidence of Mr. Reich, a former ambassador to Venezuela whose conservative credentials and combative demeanor have made him popular among Republicans and stirred the suspicions of Democrats.

After a few short months, Mr. Reich is facing his second crisis in Latin America (the first was the collapse of the Argentina economy, and he has taken a hands-off approach to it). He is thoughtful and meticulous, with experience in the region as a development agency official, diplomat, and businessman.

He also is a fierce partisan who cedes little ground to his opponents, particularly those who fail to share his concern over the threats posed by President Fidel Castro of Cuba and, more recently, by Mr. Chavez, who has built close ties with Castro.

In January, after Senate Democrats denied Mr. Reich a hearing on the Latin policy post and refused to confirm him, President Bush granted him a recess appointment, which allows him to serve until the end of the congressional session—and beyond, if reappointed.

Secretary of State Colin Powell fully backs Mr. Reich, said the secretary's spokesman, Philip Reeker, calling him a "key player".

Some of the animus toward Mr. Reich stems from his involvement in what became known as the Iran-control scandal in the Reagan administration. As director of the State Department's Office of Public Diplomacy, Mr. Reich tried to influence public opinion in support of the Nicaraguan contras, the General Accounting Office found, by resorting to "prohibited covert propaganda" like preparing newspaper opinion articles for pro-contra authors.

Mr. Reich has denied wrong-doing and never was charged. Recently, in his first major policy speech as assistant secretary, he made light of the controversy, greeting the "former colleagues" and "unindicted co-conspirators" in the crowd. Then he complained, "That was supposed to get a better laugh than that."

Otto Juan Reich was born in 1945 in Cuba, which he fled as a teenager. He thrived in his adoptive country, earning a bachelor's degree at the University of North Carolina and a master's in Latin American studies at Georgetown University.

His uncompromising views on Cuba have made him a pillar of support for the American trade embargo of four decades.

His appointment was championed by Cuban exiles, who supported Mr. Bush's presidential campaign, and viewed as a setback to advocates of more open contracts with Havana. He has criticized corruption in Latin America and has advocated free trade.

When the crisis flared up in Venezuela, Mr. Reich, who had made no secret of his disdain for Mr. Chavez, was ready to respond. He had been the Venezuela envoy in the late '80s. After that, as a lobbyist he numbered among his clients Mobil Oil, which has interest in Venezuela.

"My entire life I've done things that have prepared me for this job," Mr. Reich said last week.

Mr. Reich said the administration had had no involvement or knowledge—indeed had been operating under an "information blackout" in the first hours of the revolt on April 11.

He defended his decision on the next day to establish contact with Pedro Carmona Estanga, the business leader who sought to replace Mr. Chavez. He said the administration would have been criticized even more harshly had it failed to warn Mr. Carmona of its desire to see democratic processes respected.

"I think it would be irresponsible not to do it," Mr. Reich said.

□ 1945

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3763, CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT OF 2002

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-418) on the resolution (H. Res. 395) providing for consideration of the bill (H.R. 3763) to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEATH TAX

The SPEAKER pro tempore (Mr. FORBES). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, this evening I want to cover a couple of points. Especially, I want to focus tonight on one area, and that is the death tax, and the differences between our parties, between the Republicans and the Democrats when it comes to the death tax. This is clearly reflected by the votes of the last couple of years. When I speak in Special Orders, most of the time I try not to speak in a strong partisan fashion. There are a lot of issues that span both sides of the aisle. There are a lot of issues that are not necessarily a division between Republicans and Democrats, but rather a division between urban and rural areas; or there are issues that partisanship is divided, not Republicans and Democrats, but geographical location in the Nation.

For example, many times I have taken this podium and spoken about water in the East as compared to water in the West, the issues of public lands which are almost exclusively found in the West as compared to the private lands found in the East. There are a number of different issues, so not every issue that we deal with up here falls along partisan lines. But there comes a time when there is an issue that falls

along partisan lines where the majority of one party is on the opposite side of the majority of the other party, and tonight is one of those nights that I want to speak about an issue.

The reason I bring this up is because of the impact it has on my district in Colorado, and the impact that it has on the American dream and throughout this Nation, not necessarily the people from Colorado, but the people from the other 49 States, and it is the death tax. It is a tax that the Democrats, time and time and time again, go back to their districts and talk about how terrible it is and come back here and vote to support it, to keep the death tax in place. I am tired of it. This thing is killing people out there, no pun intended.

This death tax is devastating to a lot of American citizens. It is of little benefit to the government. Our government gets very little tax revenue from this death tax; but time and time and time again, the Democrats continuously through their leadership continue to support the death tax. Every time we talk about it, they make it look like we are talking about the Gates families or the Ford families or those kinds of families out there. They completely ignore the fact that the wealthiest families in this country which they say that the death tax is directed at, those families have estate lawyers and trusts. Those families have life insurance to take care of a death and the costs related to that and the cost related to the death tax.

What the Democrats do ignore time and time again is what it does to the middle class in this country. What do I mean by the middle class? Look at what one has to own today to be subject to the death tax. If you are in construction, you are not a wealthy person. Let us say you are a woman. And women in business, by the way, have jumped dramatically, so the impact against women that this death tax has also jumped dramatically. You will see the Democrats jumping up and down about women in business and we are for women in business.

Next time you hear one of your Members from your district say that, you have to be prepared to defend. Why do I vote for the death tax and why do I support the death tax which has an inappropriate impact on women in business? Let us say you have a woman who owns a couple of dump trucks, a backhoe and a small office building, not a big office building, just small. Let us say she has a trailer and a semi to haul the backhoe around on. She is now subject to the death tax upon her death.

What is the death tax and how does it work? That is what we are going to talk about this evening, because I want Members to understand clearly how negative the impacts are. Tonight I intend to read a few letters from families, diverse in their interests, farm families, small business families, contractors, children of families who have

had businesses go from one generation to the other, which as we know in this country is significantly diminished in large part due to the death tax. Let me just kind of point out a couple of things to start with.

Last year the President, with the help of the Congress, we put together a tax reduction package. No matter how hard we tried, we could not get the Democrats, and we had 58 of the Democrats in the House who came across, but the real impact, their leaders, we begged them to join us. We asked them, come on, let us get rid of this death tax. Look what is happening to middle America. Look what this does. But we could not get them to budge.

The best we could do last year in our effort to eliminate the death tax was to get a compromise to lift the exemption. Here in 2004 it works its way up to \$2 million. In 2006, it works its way up to \$3 million; and 2010, it works its way up to \$4 million, actually \$3.5 million. But guess what happens in 2010? Here is what the exemption is. In other words, if you have an estate worth \$3.5 million, the first \$3.5 million is exempt from the death tax.

Then in the year 2010, look what happens in 2010. In the year 2010, the exemption is zero, because guess what happens for 1 year? For 1 year the death tax goes away. Zero. Then what happens? Then all of a sudden it goes back to normal in 2011 because we could not make it permanent. The reason we could not make it permanent is we did not have enough Democratic votes in our conference committee to come across.

Let me say again, colleagues, I do not like to be partisan every time I speak up here, I rarely am, but tonight the issue demands it because it is a clear distinction between Democrats and Republicans. The Democrats continually support the continuation of that death tax; the Republicans on a continual basis oppose the death tax.

Last year we were able to get a compromise to at least lift the exemption. The exemption, as my colleagues know, is that amount of money that you get before the government starts to tax your estate. It has been \$675,000 before the tax package agreement. So we had the tax package agreement which does not do away with the death tax initially, but allows you to lift the exemption. And that is what this chart reflects, from \$675,000 on up to \$3.5 million, and then the death tax actually goes away for 1 year. But then it sunsets.

What is sunset? Sunset, as my colleagues know, this tax bill evaporates and we go back to the same taxes we had in 2000. In other words, we are back to a \$675,000 exemption which takes that woman contractor that only owns a backhoe, a dump truck, and some other equipment and maybe a small office building, it makes her estate subject to the Federal death tax.

Let us talk about what the Federal death tax is, and we need to make this

clear at the beginning. The death tax is not on property that has not been taxed. This is not property that one has been able to evade the tax man for many years, that the people who own this property have not carried their fair share. They have. They paid taxes on it when they bought it. But the government comes in and says it does not matter to us that you paid taxes once or twice, or in some cases three times, we are going to tax it again simply because of the event of death. Even though your property has been taxed, even though you have paid for it again and again and again in some cases, you still get taxed as if it were never taxed upon your death.

How did such an egregious tax start? Let me say there is no justification, in my opinion, for the death tax anywhere in our tax system. If you take a look at the history of our tax system, if we look at it from a historical view, the debates when we put taxes together throughout the history of this country, when we came up with the income tax, nobody ever envisioned, certainly our forefathers when they drafted the Constitution would never have envisioned that upon your death the government would come into property upon which you had already paid your taxes and tax it again. They never thought that would happen.

Mr. Speaker, how did it come about? It came about because of jealousy. In this country the American dream is to succeed. We educate our kids. All of us grew up with the dream of some type of success. Having a family is, of course, one of our big dreams; I as a father, my wife as a mother, one of our big dreams is to have something to leave to our kids so our kids can get a start in their life.

I cannot leave my congressional seat, obviously, but I always did dream, I did dream of having something physical like a construction company or some kind of business that I could get my kids to work with me, and then turn the business over to them. Well, this tax dashes that. This tax puts a knife in the center of it. It is amazing how few base businesses pass to the second generation. I think 70 percent do not make it to the second generation, and 80 percent do not make it to the third generation. Those are pretty rough numbers.

How can one conceive such a tax like this? Why would the lawmakers put this tax in place? As I said, it is jealousy. We urge people to be great, enjoy the fruits of your labor. Have Members heard that before, enjoy the fruits of your labor? Around the turn of the century, there were some big families which made a lot of money, the Rockefellers, the Carnegies, the Fords, Chrysler, a lot of these big families, and there was a lot of jealousy at that point in time.

□ 2000

The government decided to respond to some public pressure and said, "Hey,

let's penalize those people. They've made too much money. They shouldn't be able to pass that money from one generation to the next. After all, the government needs the money to fight a war or to fight a depression. Let's go ahead and let's go after those families."

Well, they did. Of course, what did those kinds of families do? They have the resources to hire the necessary professional help, which is legal, of course, to hire the necessary professional help so that their impact on this is not nearly as significant as the impact is on middle America. So this tax got put into the system, more of a target towards Carnegie and Ford.

So this tax gets created, put into our taxing system, and I will tell you something; once the government figures out a tax, it is very, very hard to ever get rid of it. The battles that we had on the floor last year, I was astounded that any Democrat stood up and defended the death tax, that any Democrat could stand up and do that. By the way, to the best of my recollection, we did not have one Republican stand up and defend the death tax. Every Republican stood against it. And to 58 Democrats' credit, 58 of them, not all of them, not even close, what is that, maybe a fourth of them, a fifth of them stood up to oppose it; four-fifths of them supported this death tax. So this thing has continued and continued and continued. I hope the Senate has some kind of vote on this thing, that we can eliminate this death tax.

This death tax does not serve any of us. It does not help the government in revenues. Let me tell you, it does not just go against the wealthy people at all. You would be surprised, colleagues, when you go back to your district, take a look that anybody that is at all financially successful, in some of your States like California where you have high home prices, or in Massachusetts or in any of those kind of communities, if a person owns their home in some of those communities free and clear, they could be in that category where they face a death tax simply because of the fact they saved their money, they paid the taxes on their house when they bought the house, they worked hard, they got the house paid off, and now all of a sudden upon their death the family to whom they want to leave this to will have to pay the taxes.

You will understand after I read some of these letters. We are not talking about the Gates family here. We are not talking about the wealthiest families in the country. We are talking about middle America. And we are talking about the need to stand up and say enough is enough.

Look, we all have to pay taxes. That is how we fund things. That is how we fund our highways, our schools. Thank goodness we paid taxes many, many years ago and funded a terrific military, a machine that could protect this Nation in a time of need. But there is a point of ridiculousness. There is a

point of absurdity. That point is reached when you put the death tax in place.

Let me just cover a couple of points. One point I want to make before we get started too much here is these people that come out, and I heard this just the other day, somebody said, "Why are you complaining about the death tax? That's what life insurance is for."

For example, a ranching family. The ranching family, usually most ranching families are what you would call land rich, cash poor. The land has been around and they have accumulated land, but the revenue that comes off the land is very limited. They do not have a lot of cash. So you talk to people, and this is what happened to me the other day. I was talking to somebody, in this particular case we were talking about a ranch in Colorado. I was talking about that family. He said, "Well, the death tax isn't unfair. That's why you have life insurance. Go out and buy life insurance." I heard that last year from some of the Democrats: "Why, you ought to go out and buy life insurance." It was almost as if the special interests up here in regards to life insurance had done a lot of lobbying right before to sell life insurance as a justification for the death tax. In this particular case when I was talking to the individual about this ranch, I said, "Oh, yeah? Why don't you pick up a telephone. You show me one life insurer that is going to be willing to sell a life insurance policy to the 65-year-old rancher that owns this ranch." Where do you think he is going to get the money, or in this case he and she, because it was a husband and wife operation. Actually the husband was 67 and the wife was 65. Who do you think is going to insure them? Oh, sure, they will start writing you life insurance at 67 or 65, maybe if you get a million-dollar policy they will sit down and write you for a premium of a couple of hundred thousand bucks a year.

That is the whole point. The small people, middle class America, the middle class of economics here, they cannot afford the premiums for life insurance to take care of this unjustified tax. Why should they have to buy it in the first place? How can you in a democratic society that practices capitalism, how can you justify a tax based solely on the fact that you have died on property that you have already paid taxes upon? How can you do that? You cannot justify it.

Let me jump in here and read some letters to you. Again, I do not speak from written notes. These are actual letters that I have received in regards to this terrible death tax and what it does. These people feel like they have been fooled, that the death tax goes away in 2010 and then it leaps from the grave, as the Wall Street Journal puts it, leaps from the grave the next year. By the way, any of you that cannot afford life insurance, whose family will be devastated by the death tax, look, do not die until 2010. Those of you from

an economical point of view who are lucky enough to die at 2 minutes to midnight 2010, are going to be a whole lot luckier than those people who die 2 minutes after midnight and go back to a full estate taxation.

Let me read some letters.

"Dear Mr. McINNIS:

"I'm writing to encourage you to keep up the battle of the death tax. As an owner of a family business, it is extremely important that upon our death, this business be able to be passed to our daughter and our son, both of whom work with us in the business, without the threat of having to liquidate to pay inheritance taxes on assets that have already been taxed once. Of all the taxes we pay, this one is double taxation and it's unfair."

I can tell you that word is probably the most accurate word of the whole letter. It is unfair. Where is the fairness in this, Democrats? You are the guys that carried it. You are the guys who continue to support this. You are the guys that put it in place. You are the guys that work against us to get rid of it. Again I want to stress, I am not up here to start a partisan fight. I am up here to clearly define where the lines are on the death tax. One party has stood time and time again in unison to eliminate the death tax. The other party, the majority of whom have stood time and time and time again to look at an individual like this, a gentleman and his wife that want their son and daughter to continue in business and said, "Too bad. You're rich. We need the money for society. We'd rather take the money from those of you who work and achieve the American dream and pay your taxes, we'd rather hit you with double taxation and transfer that money to people that don't work."

That is the essence of your argument. And it does not hold water. Let me continue with the letter.

"I'm aware that several wealthy people like, for example, Bill Gates Sr."—not Bill Gates, Jr.—"Bill Gates, Sr., and George Soros have come out against repeal of the death tax."

Let me address that. These people are the billionaires, or close to it. They ran an ad, I think, in the New York Times, the most liberal newspaper in the United States, they ran an ad that said, "Hey, we support the death tax. It is only fair that rich people pay an extra tax on property that has already been taxed upon their death."

The Gates family has what is called the Gates Foundation. What do you do when you have a foundation? You evade, and not illegally, you legally are able to avoid those death taxes.

George Soros, do you not think George Soros has an entire roomful of trust attorneys? Do you not think every person who signed that ad has already made arrangements to get around the death tax? I would venture to challenge every one of my colleagues, any of my colleagues today whose net worth would put them into

the death tax category, any of you sitting here today, my guess is that any of you that voted against eliminating the death tax have already done your estate planning so that you do not have to pay the death tax or so that you minimize the death tax that you pay. My guess is not one of you who voted against elimination of the death tax, not one of you that is worth, say, over \$1 million today, so you are going to be subject to the death tax, not one of you has not already protected yourself through some kind of legal counseling on how to evade it. That is the same thing that is referenced in this letter. It is always easy to stand up and say, "Hey, I think it's a good tax" when you do not have to pay it.

It is pretty interesting, is it not, the support for a tax comes from the people who do not have to pay for it. That is exactly what that ad was about.

Let me go on to another letter. This one, by the way, was signed by Tony and his wife.

This is from John:

"I wish there were some way I could help to get these death taxes eliminated, the most discriminatory and socialistic taxes imaginable."

That is another key word, socialism. This is a society of capitalism. We have a democracy in the United States. We are not socialists, where we make everybody equal, where we go out and say, "All right, Johnny, you have a farm. You were successful in your farm. Joey over here didn't do any work, wasn't at all ingenious, didn't do anything to help society, but we're going to take the money and the rewards that you had and we're going to equal it out." That is what the original intent of the death tax was, and this individual, a fellow by the name of John, picked up on that.

He says, are we in a socialistic society? Why do we have this death tax? Where is the fairness of it? He goes on: "How can anyone," and I want the Democrats that voted to keep the death tax in place, I want the Democrats to listen to this: "How can anyone advocate taxing somebody twice?"

How can you do it? Where is the fairness of it? How can you tell me it is not socialism? I do not care if it is a millionaire or a pauper. It is not the government's money and the taxes have been paid. That is what he writes in this letter. I do not care whether you are a pauper or a millionaire. It is not fair. And the taxes have already been paid.

Why should a family working for 45 years and paying taxes on time every year, year after year after year, be forced into this position? I do not know, John, other than the fact that we have Members of the U.S. House of Representatives, colleagues, who continue to support a death tax, who continue in force, especially, and there is a huge party difference on this, and let me repeat again. Last year, to the best of my knowledge, not one Republican stood up and supported the death tax.

They all voted to eliminate it. Four-fifths or so of the Democrats supported the death tax and keeping it.

Let us go on. There are some other interesting letters. Marshall writes this letter, Marshall and his wife:

"We have operated as a family partnership since the middle 1930s. My parents died about 5 years apart in the 1980s. And the death tax on each of their one-fifth interest was three to four times more than the total cost of the ranch that was purchased in 1946."

In other words, because of the death tax, Marshall says his parents each owned a fifth, they each owned a fifth of this ranch, and the taxes on each of their fifths exceeded what the original purchase price of the ranch was. Where is the fairness in that?

"Eliminating the death tax will go a long way towards providing jobs."

In fact, Marshall, I will give a couple of points here that I think are pretty important, to tune in on Marshall's letter. Sixty percent of small business owners report they would create new jobs over the coming year if they knew the death taxes were eliminated. Half of those who must liquidate the business to pay the IRS will each have to eliminate 30 or more jobs. To pay that bill on average, small business will have to eliminate 30 or more jobs for each estate. One-third of small business owners today will have to sell outright or liquidate a part of their company to pay the death taxes. More than 70 percent of family businesses do not survive the second generation. And 87 percent do not make it to the third generation.

And Marshall, in talking to colleagues, this letter from Marshall, let me add something else for you to consider. The death tax hits women business owners hard.

□ 2015

The impact of the death tax on small business means it is especially threatening to women who are creating small businesses at twice the rate of men. Since 1987, the number of female-owned ventures has doubled from 4.5 million to 9.1 million. Last year, women-owned companies employed more than 27 million Americans, nearly 9 million more than in 1996. And their annual sales have risen from \$2.3 trillion to \$3.6 trillion. The National Association of Women Businessowners strongly supports eliminating the death tax.

So the next time, I say to my colleagues, and there is a campaign here, the next time my colleagues are out there on the campaign trail talking about what they are going to do for women, those of my colleagues who voted to continue the death tax better be ready to explain to the women that are asking you that question why you continue to support a tax that hurt women unproportionately.

Let me go on from Marshall's letter: "I have 3 sons involved in our operation, and a grandson starting college next year. It is important that we keep

agriculture viable to keep our beef industry from being integrated. We must make sure that our youth can stay on our ranches and farms." I agree with Marshall.

Let us go on to Nathan. This is an interesting letter. This is a young man. This is a young college student, a college student who looks out into his future and perceives kind of what this death tax is going to mean to him and to his family: "I am a college student. I grew up in a family which has lived and thrived in agriculture. My parents and grandparents are involved in a typical family farm. We have had the farm more than 125 years. Grandpa is 76. He does not have long to go. My parents have been very worried and discussing this situation over the last several months. My parents worry about the 'death tax,' the eventual loss, and they worry about how they are going to be able to keep that farm going once he passes away. The loss of my grandfather will trigger this tax upon my family's inheritance. My parents hope that they will be able to pay this tax without having to sell any part of our family operation that our family has worked so hard in maintaining over these years. It does not look good."

The outlook really does not look good. Farmers and ranchers are having enough trouble keeping their family operations going.

"Statistics show that the farmers are having, from an economic viewpoint," he says, "a very difficult time, and yet, the Government continues to pursue this death tax. Those who say something about life insurance, we cannot afford the premiums. Statistics show that more than half of all of the people who pay these death taxes had estates that are valued at less than \$1 million. My family falls under this category. It does not seem fair to me. My family's farm is not located in a rich district, but I can tell you I needed to talk to somebody. Even though we are not located where the land values are high."

What he says here is their family is still going to be subject to this punitive tax. And that is what it is. Do my colleagues know what the word "punitive" means? It means penalty. There is no way to explain the death tax to our society other than to say it is a penalty for success. It is a transfer of wealth devised strictly as that, as a penalty. It is not a net revenue for the government or, if it is, it is very, very minimal, by the time we take out all of the costs and so on of collection. So it has very little benefit to the Government. Even those who are socialists or believe in what is good for all, we should have all of this equal treatment, even when we take a look at the small benefit and we put it on the scale, that small incremental benefit that it gives to the Government as compared to the devastating loss that it does to individual families that are being hit with this death tax, that scale looks just like that. That is exactly what happens to the scale. So even those of us who

believe in kind of a socialistic pattern, that upon a death, the property should go to the Government and be redistributed back into the communities, take a look at that scale and tell me about the impact.

I want to tell my colleagues about a true story down in my district. We had a very wealthy individual. This individual, by the way, started as a janitor in a local construction company. His name was Joe. Joe Ashley started out, as I said, as a janitor; but he could keep books, so pretty soon he was keeping books for the construction company. Over the period of his work career which spanned 50 some years, he went from janitor to bookkeeper, worked in the bidding part of the business, and pretty soon he owned a construction company, started his own construction company. Pretty soon he was into real estate investment. He started up in a bank there in the community. Obviously, he was very successful. He did not inherit it; he worked for it. He worked a lot of days, worked hard. The American dream, it came true.

What else did he do in the community? What else? Well, he happened to be the largest contributor to his church. In fact, he underwrote 75 percent of the church's budget. He was the largest contributor in the community to the charities. He was the biggest booster for the sports club at the high school. He employed the most people in the community, gave jobs to people sometimes that needed the jobs, but did not exactly have the work for them; but he put them to work. He found something for them to do. He was probably the most popular individual in the community, not because of his wealth, but because of his personality, because of his compassion, because of what he did for people. He gave them jobs. He gave them an opportunity to protect themselves.

Well, unfortunately, not too long ago, my friend, Joe, in this community got cancer, terminal cancer; and he passed away. Do we know what happened to the money in his estate? After they got done with capital gains, which is another tax we could discuss, but after they hit the family with capital gains, and then they put the death tax on top of that, 76 cents, 76 cents out of every dollar went to the U.S. Government. Now, do my colleagues think that money stayed in that local community where it was distributed by Joe? When Joe made the money, the money stayed in the community. It went to the local bank, it went to the local charities, it went for local employment, it went for local investment. But as soon as Joe died, the government reached into this little tiny community out in rural Colorado and sucked that money out of that community and back to Washington, D.C. And then what happens back here? The money gets redistributed.

What percentage of the money they took out of that community through

the death tax do we think went back to that community after Washington got its hands on it? Probably not a thousandth of a percent. Probably not one-thousandth of a percent ever made it back to the community. And for those Democrats who continue to support the death tax, you go down to the local church down there or to the local charity or to those local people that no longer have their jobs and explain why it was more important to transfer that money, to take it out of a small community in Colorado and move it to Washington, D.C. under the theory that when you die, this property should go to the Government, that death should be a taxable event.

And I say to my colleagues, I know that when some of you are out there on the campaign trail, you try to avoid this, you get a direct look from a constituent, a small businessperson, a woman in business, a farmer, a rancher, somebody who owns some property and they say, Congressman, what are you going to do about the death tax? I hope every constituent out there demands that you give them an exact answer, that they do not let you puff and fluff around it. Either you support it or you do not. Do not hide it with all of these exemptions.

That is what I am worried about this week. We are going to get an opportunity to see the death tax come to a vote I think in the other body. The question is are they going to dilute it with a lot of other amendments? It is pretty simple. Do you support eliminating the death tax on a permanent basis, getting rid of it; or are you a supporter of the death tax? And if you are, you ought to go talk to Chris, you ought to talk to some of these people, to Tony, to John, to Marshall and look them right in the eye and say to them why you think it is appropriate for the Government, upon your death, to come and take your property simply for redistribution to other people that have nothing to do with you. That is exactly what happens with the money.

When the government takes the money and your property upon your death, do you think that they leave it in that community? Of course they do not leave it in your community. Do you think they give it to a special cause that you want it to go to? Of course not. That money is redistributed to sources you would not even imagine. That money is given out, given out to somebody other than the people that you had in mind. And people, by the way, who did not contribute to your success or your family's sweat on the farm or in the small business or some other way it was accumulated.

Let me talk about another couple. Here is H.B. and Roberta: "As you know, farming and ranching out here is no slam dunk. If our farm is ultimately faced with this death tax burden, there is absolutely no way we could ever afford and justify holding on to our farm. This, in turn, prevents us from the following." Think about this, and to those

Democrats that support this, that vote continually for a death tax, think about what I am saying. I am not saying, I am just repeating it. These are constituents. These are constituents. "This, in turn, this death tax will keep us, it will keep us from having a farm for future generations. We want to keep it from becoming one more development out in the middle of the country."

This particular location is in Colorado. Do we know what is going to happen to that farm if it does not continue to be a farm? It is going to become condominiums. Anybody that cares about the environment ought to be adamantly opposed to the death tax, because in areas like I come from, I come from a fairly wealthy part of the country, I mean where the land has really increased in value. Same for California, same for Arizona, same for parts of many of these States. Do we know what happens to that farm land? They do not continue to do it as a farm once they get their hands on it. The developers come in, and they build condominiums or they build strip malls or they lay down pavement; and that is exactly what this family, H.B. and Roberta, are saying. You are going to keep this land from being available to the deer and elk. By the way, we just saw over 600 head of elk this afternoon, and you are going to keep it unavailable for other uses.

"Scott, we are only able to meet the daily operating costs of our farm under the present economic conditions of agriculture. Unless there is some kind of positive action to eliminate this death tax, we must start making the necessary plans to arrange our affairs so that my family is the ultimate winner of lifelong struggles of both my parents, Roberta and me. We cannot allow the IRS to take it. They do not deserve it." That is what they say in here. The Government does not deserve it. We have already paid our taxes. They say it right here. "We have already paid our taxes. Why are they coming back again? Is it just solely for the purpose of breaking us, of breaking up the family farm so it goes to condominiums, of taking out the ability for wildlife to enjoy those resources? Of taking the heritage of the family, the dream of many families to pass it from one generation to the next generation?"

Folks, do we not think that the Government ought to be in the business of encouraging business to go from generation to generation? Certainly my colleagues would agree, I would hope. A lot of my colleagues do not, but certainly I would hope that at some point my colleagues come to the agreement that the Government really has a role reversal here. They have it all wrong. What the Government ought to do instead of breaking up family business or family farms and preventing it from going to generation to generation, the Government ought to encourage it. The Government ought to put incentive out there.

There is a lot to be said for a farm that has generation after generation and generation of family on it, but 80 some percent of that is not going to happen primarily due to the death tax.

Let us look at a couple of other letters. Let me go on:

"Our 106-year-old mother passed away. Because we knew she was fearful of being placed in a nursing home and we never considered it an option, my husband and I took care of her in my own home for 2 days a week, alternating with my siblings. She was alert, but she was in the hospital for 5 weeks. When hoping to leave, she suddenly died. Now, guess what? We have discovered that we have to sell the family home which was acquired by our parents in 1929. We are six children who worked in it and grew up in this home.

□ 2030

"Prior to the WWII, my parents had a greenhouse business on 5 acres of farm property. After the end of WWII, the family returned from" the relocation center "where those of Japanese ancestry were incarcerated to our home and signs that said, 'No Japs wanted.' My father died of a heart attack in 1953. My mother lost the business located on 2 acres (four greenhouses, the heating plant, and the packing shed which had two bedrooms above where many of us slept" when they were children, or spent many nights as children. It went to the State.

"My mother was able to keep the family house, which she and my father built. The property lost its access frontage and now can only be reached by a dirt road in the back. I might add that all my siblings and I worked many hours in the business after school, weekends, and summer vacations. . . ."

Because of this death tax, this property will have to be sold. I urge Members and I ask Members, where is the fairness? How do we answer a letter like that? What do we say?

Look at this: "My family has ranches in northern Colorado for 125 years." That is what Derek says. "My sons are the sixth generation to work this land. We want to continue, but the IRS is forcing almost all ranchers and many farmers out of business." He says the problem is the estate taxes.

In Colorado, "The demand for our property is very high and 35-acre ranchettes are selling in this area" for unbelievable amounts. They have a lot of acres. "We want to keep it open space." They want to keep it as a farm. They want to keep it in the family. They want their sons and daughters to continue to work it, as they had the American dream of putting their hands in the soil, but the government is making it impossible because they have a death tax. They want to penalize them.

Mr. Congressman, we have paid these taxes. This family has paid our taxes when we bought the land. We pay our taxes for our equipment. We pay our taxes on any revenue we take off this

land. But they haven't had enough. The government has not had enough. Now they want to penalize us because we have been successful. But in the long run, Congressman, you do not just penalize us, you hurt the institution of our government.

And they are right. What we are doing is breaking up a family from passing business from generation to generation. We are inviting the developers to come in and destroy the open space and build condos and parking lots. There are a lot of things, a lot of things that are being destroyed by this tax that cannot be justified.

"We are one of only two or three ranchers left around here. Dad is 90 years old. We do not have much time to decide what to do. Most ranches have been subdivided. One of the last to go was a family that had been there as long as ours. When the old folks died, the kids borrowed money to pay the taxes. Soon they had to start selling cattle to pay the interest."

When they ran out of cattle, the ranch was foreclosed on and now is in full development. That family which started out with this ranch, because of the punitive interest that they had to pay, the interest they had to pay on the punitive death tax, it broke them. Now they live in a trailer court on the other side of town.

Who would ever imagine this is what the American dream was all about? These letters go on and on and on. Every one of my colleagues, every one of them, has a duty, in my opinion, to go out to their constituents that are facing this tax. They have a duty.

And to those constituents of theirs whose businesses will be threatened because of this death tax, they have a duty to go to them and be straight with them. It is pretty easy because we have a definitive vote on the record right up there. There is a recorded vote that took place.

Members ought to be straight with them and say, "Look, I tried to eliminate the death tax on a permanent basis. I tried to even minimize the death tax." Or if they are from the other side of the aisle, they would say, "I support the death tax, even though it will break you; even though it brings very little benefit to the government." Even though the money that a death tax is levied against is money that is taken out of the local community and transferred to Washington, D.C., they supported that.

Keep in mind, as I said, and I will summarize it with this, I started my comments this evening by saying that my general intent when I may speak at night on these night-side chats is not to get into partisan flavor, because, as I described, there are a lot of issues up here that are not partisan. They are based more on geographical differences, the East and West, the cities and the rural areas. That is generally what I like to focus on.

But this issue is hitting us so hard, and here there is a clear division between the parties. Not one Republican,

to the best of my knowledge, not one Republican stood up last year in support of the death tax. Every Republican, to the best of my knowledge, every one of them that is a Republican opposed the death tax.

The same cannot be said for the Democrats. That is why I am taking this partisan approach, not to attack unnecessarily, but to say, come on, it is time to draw the line in the sand. Why is it that four-fifths of the Democrats in this House, why is it that they continue to support this death tax? Why is it that they will not stand with us shoulder to shoulder to eliminate the most punitive tax ever known in the history of this country?

The reason is simple. The reason is because they think it is appropriate to take money from an individual family, to take money from a community and transfer it to Washington, D.C.; take money and transfer wealth from this person to this person, for no other justification than the fact that the person that had the money or had the small business or had the farm or had the ranch is no longer alive.

They cannot fight them anymore, so I guess they think in the long run they won. But frankly, in the long run, if we continue with this death tax that has been primarily or solely supported by the Democrats, we all lose. All of us lose.

It is time to eliminate the death tax once and for all. I urge all of us on both sides of the aisle to stand shoulder to shoulder to eliminate this punishment upon the American people.

THE CONTRAST BETWEEN DEMOCRATS AND REPUBLICANS ON ENVIRONMENTAL PROTECTION ISSUES

The SPEAKER pro tempore (Mr. FORBES). Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight, although I know it is the day after Earth Day, I want to concentrate my remarks on the environment. The gist of my statements tonight are basically to point out the contrast between the Democrats and the Republicans on environmental protection issues.

Mr. Speaker, I have been very concerned over the last year or the last 18 months that the new administration, President Bush's administration, both in terms of actions in Congress with the Republican leadership or in agency actions as part of his administration, has done a great deal of damage to the environment, and has basically used the presidency and the power of agencies to break down a lot of environmental protection, not provide the type of enforcement action or the budgetary action that is necessary to protect the environment.

Much of this has been linked to special interests, to corporate interests,

and to concerns that big business has about environmental protection, environmental regulation. Very little concern has been focused on the impact of these changes in environmental protection on the average American.

Mr. Speaker, the Democrats are committed to preserving America's air, water, and pristine lands for future generations, and are fighting to make sure that environmental protection and public health are not sacrificed to the corporate special interests.

I have been concerned, Mr. Speaker, to see both the President and the Republican leadership in the Congress not handling in a responsible way what needs to be done to protect our air, water, and land from the polluters, and forcing taxpayers to pay for the clean-up of many pollution problems, such as hazardous wastes or Superfund sites, instead of having the brunt of the cost paid for by the polluters themselves, the corporations and other responsible parties.

So in the aftermath of Earth Day, Mr. Speaker, I wanted to basically outline in some detail this evening some of the concerns I have about what has been happening under President Bush, and also with the Republican leadership that has a majority here in the House of Representatives.

I thought that I would start by detailing a few areas where I think the actions of this administration and the Republican leadership in the Congress have been particularly egregious. I wanted to start by talking about wetlands protection, because I represent a district, a large part of which is along the coast of New Jersey, along the Sandy Hook and Raritan Bay.

We have traditionally in New Jersey had a lot of wetlands, a lot of which has been destroyed. But we are trying very hard to make sure that what we have left continues to be protected.

Wetlands provide us, and I think many of us know, crucial habitat for fish and wildlife, and protect our homes from floods by soaking up water from storms and releasing it slowly over time. America has lost about 50 percent of the wetlands that it started out with, and I do not think that we can afford to let anymore of it be destroyed, Mr. Speaker. Yet, the Bush administration dramatically increased the ability of developers to develop the remaining wetlands, essentially losing those wetlands forever.

On January 14 of this year, 2002, the Bush administration undermined a balanced Army Corps of Engineers regulation protecting wetlands, which has opened the floodgates for building by developers. The EPA opposed a Corps of Engineers plan to allow more development permits, but the White House sided with the industries, with the corporate interests. This action resulted in increased wetlands development and the ability for developers to more easily qualify for development permits.

The Army Corps loosened the permit standards for this program, making it

easier for developers and mining companies to destroy more streams and wetlands. Keep in mind that 50 percent of the wetlands in the country have already been destroyed, so now we are just accelerating the pace.

For more than a decade, the cornerstone of the United States' approach to wetlands protection has been a policy that calls for no net loss of wetlands. This is a policy, I might add, that originated with the first Bush administration.

I want to stress tonight that when I talk and criticize this administration and the Republican leadership in this House for doing things contrary to the environmental interest, I am not suggesting that historically the Republican Party or Republican Presidents have taken that view. In fact, it is just the opposite. We know about Theodore Roosevelt, a great conservationist. Most of the environmental protection laws that we have on the books date from the 1970s, when Richard Nixon was the President. Even the first President Bush did a lot to protect the environment.

But I see a concerted policy now with this President and the Republican leadership in this House to turn that around. With no notice or opportunity for comment, the U.S. Army's Corps of Engineers moved to reverse the long-standing policy of no net loss of wetlands by issuing a new guidance dramatically weakening standards for wetlands mitigation.

The new standards allowed wetlands to be traded off for dry upland areas, and will likely mean the loss of thousands of acres of wetlands annually. So instead of having to mitigate, when they develop, the loss of wetlands in the area, they are able to basically trade some other area in a different place, far away from the development. The consequence is that we continue to have a greater loss of wetlands.

The reversal of this no net loss policy on the part of the Bush administration is just one component, as I said, of a broader Bush administration effort to diminish wetlands protection.

Next, I want to talk a little bit, Mr. Speaker, about clean water. This is particularly close to my heart because, as I said, my district is mostly along the Atlantic Ocean, along the Raritan and Sandy Hook Bays, and along the Raritan River. Clean water is a major issue for New Jersey in general, as well as my district, because historically, we have suffered in my State from degradation of water quality.

One of the biggest problems we have had historically in New Jersey, and this is true around the country, is a problem with sewage and how to make sure that sewage is properly treated, and that we do not have raw sewage or partially-treated sewage go into our waters, into our rivers, into our harbors, into our ocean.

Sewage containing bacteria, fecal matter, and other waste is responsible each year for beach closures, fish kills,

shellfish bed closures, and human respiratory illnesses. So understand, when I talk about the concern for clean water, it is not just because of human health, though that is the highest priority, but it is also because of the economic losses, the jobs that are lost because we have to close beaches, because people cannot use recreation areas.

According to the EPA, there were 40,000 discharges of untreated sewage into waterways in the year 2000. Before the current Bush administration took office, the EPA issued long overdue rules minimizing raw sewage discharges into waterways, and requiring public notification of any sewage overflows into our rivers and harbors.

The proposed rules were blocked. In other words, these rules that were going into effect to try to minimize the raw sewage discharge and the overflow, these rules were blocked by the regulatory freeze that was ordered by President Bush when he first took office in January, 2001.

Now, President Bush said then, as he did in many of these situations where he froze regulations that were about to go into place that were protective of the environment, he said at the time, in essence, "Don't worry about it because I am going to review these in a short time, and I will come back and maybe continue the regulations, these good regulations, or come up with better ones."

□ 2045

Well, the fact of the matter is that it is well over a year later and the Bush administration still has not issued the sewage overflow safeguards. So the promise about coming up with a new system that maybe would make it better simply has not materialized. Meanwhile, sewage continues to flow into our waters around the country, and the Americans are still denied even rudimentary public notice of such contaminating in the waters where they swim and fish. Part of the regulatory scheme provided for notice about sewage contamination, and that also was taken away when the President essentially froze or took away the new regulations that were taken into place.

But when you talk about clean water, it is not just these regulations with regards to sewage overflows and raw sewage that have been negatively impacted. There are a number of other clean water programs that have been slashed because of budgetary cuts that have been put into place or suggested for the next year by President Bush, and also by the fact that there have been cutbacks in the people and the number of people that do enforcement to go out and survey and make sure that environmental laws are not being violated. I mean, if we have a law that is on the books; but you do not have the money or the people to go out and find the violators, then in effect we have no law because people may just not voluntarily abide by it. So I wanted to mention three programs that I

consider very important that fall under the clean water rubric that have been slashed or are suffering because of lack of funds or enforcement.

The first is the Clean Water State Revolving Fund. Many people do not realize it, but when a new sewage treatment plant is built or upgraded or a new reservoir is constructed or upgraded to make sure that the drinking water is safe, a lot of money comes from the Federal Government. There is a Clean Water State Revolving Fund that the Federal Government basically puts money into for the States and the local municipalities or utilities to build or upgrade these sewage treatment or drinking water facilities.

That is where the biggest cut took place in the President's budget, in the Clean Water State Revolving Fund. This program provides loans to modernize and upgrade aging sewage and water treatment systems, and it is cut by \$138 million in the President's proposed budget. The Drinking Water State Revolving Fund is similar. I was talking about the sewage treatment upgrading fund when I talked about the \$138 million cut. But we see the same problem with this Drinking Water State Revolving Fund, which deals with the drinking water upgrades.

In fact, I think many people remember that the Bush administration reversed a previous executive order under President Clinton that increased the level of arsenic in drinking water to be deemed safe by the EPA after intense pressure by Democrats and moderate Republicans. Now they put in place better arsenic standards. I think it is ten parts per billion so they are back to what President Clinton had initially put in place. But we did have the lag time when in fact it was not the stricter safe drinking water standards for arsenic. But regardless of that, the bottom line is we need more funding to upgrade our drinking water; and that money has not been made available.

The third thing I would like to mention is what I call the "beaches act" and what I am very proud of because I was the Democrat in the House that sponsored the bill along with a Republican colleague on a bipartisan basis. This was modeled after the State of New Jersey where we started a program a few years ago after we had massive beach closings in the late 1980's and we lost billions of dollars in our tourism industry because we had to keep our beaches closed for almost one entire summer. We put in place a system on a State level in New Jersey that would require that each town that has bathing beaches, as well as any State or private bathing beach as well, would have to test on a regular basis the water quality; and if the water quality did not meet a certain standard, then the beach would have to be closed, and there would have to be public notice as well as posting of the fact that you could not use the beach.

Well, I tried to take this bill and one of my predecessors in Congress, Bill

Hughes, also sponsored it, and we worked with some Republicans and passed this bill and finally got it signed into law in the last year of President Clinton's time in office, that would implement this type of program nationwide. Well, 2 years ago, as I said, this bill was passed, passed the House, passed the Senate, went to the President and was signed into law by President Clinton; but that bill provided \$30 million a year in Federal grants to help coastal States protect their beaches through water quality monitoring and public notification, as I mentioned.

The administration's budget cuts \$20 million out of this program. You are not going to be able to implement it with only \$10 million as opposed to the \$30 million. So I could go on and on about the clean water issues, but I would rather move on to some other issues.

I am very much concerned about the clean water issues because of the nature of my district, but there are many other areas where this administration and the Republican leadership have cut back on environmental protection. I would like to mention some of those as well before I finish tonight.

The third area I wanted to mention is clean air, obviously important to you no matter where you live in the United States. The Republicans, again, the Republican leadership, the President, and I do not mean to suggest that all Republicans support this but certainly the leadership does and they are basically deciding what bills are posted here and the President is deciding what agency actions are taken. Basically, as I said, the President and the Republican leadership have undertaken a very deliberate effort, in my opinion, to undermine the bipartisan clean air act that has been on the books now since the 1970's, one of the bills that was started, one of the statutes that was put on the books when President Nixon was in office.

Again, a lot of this breakdown or effort to downgrade and change in a very dangerous way the clean air act is linked to energy policies of the utilities in the energy industry. And, of course, we know that the President is very close to the oil industry. In fact, the top administration EPA official in charge of enforcing air pollution regulation for coal power plants, and coal power plants are a major source of air pollution, he was so tired of fighting the White House that he decided to resign I guess just a few weeks ago or about a month ago. And in his letter of resignation he said he was tired of "fighting a White House that seems determined to weaken the rules we are trying to enforce." That is from the New York Times last month, in March of this year.

The President issued with a lot of fanfare in this past February a new clear skies initiative. And this was his answer, I guess, to clean air and it met a lot of cheers in the big industry lobbyists that have been contributing to

the Republican campaign coffers. But this clear skies initiative if passed into law will increase the amount of smog, soot, carbon dioxide, and toxic mercury emitted by power plants, by the smoke stacks, if you will, emissions by power plants and would roll back substantially the clean air standards found in the clean air act. The plan essentially provides no limits at all on carbon dioxide emissions, the prime culprit in global warming.

I wanted to spend a little time, if I could, on the national energy policy because I know that it is so important to the average American; and of course, our energy policy has been highlighted a great deal in the aftermath of September 11 and the conflict in the Mid East because of the concern that maybe oil supplies would be cut off and what would the United States do in those circumstances. And the national energy policy that has been proposed by the President and the Republicans differs dramatically from the national energy policy for the future that has been proposed by the Democrats.

The Republican leadership and President Bush continue to emphasize more production, more drilling. Democrats have talked about the need to address energy efficiency, renewable resources. And Democrats have been very much in favor of more production; but they want to couple that with more domestic production, I should say, of oil and natural gas and coal; but we want to couple that with energy efficiency, conservation programs, use of renewable resources because we realize that we cannot forever depend on fossil non-renewable fuels, and that we cannot assume that we will be able to consume the great amount of energy resources that we have been consuming and having that increase on a regular basis.

Well, anyway, if I could talk a little bit, I would like to this evening, Mr. Speaker, about the President's national energy policy and this will fold in again the clean air issue that I mentioned briefly before. As I said, the Bush national energy policy, the President's national energy policy, seeks to primarily spur exploration and production of domestic oil and gas and increase the use of coal and nuclear power. In fact, the White House plan calls for the construction of more than 1,000 new power plants over the next 20 years and of course includes the drilling in the Arctic National Wildlife Refuge and other environmentally-sensitive areas.

Now, thankfully, we all know that last week the other body killed the drilling in the Arctic National Wildlife Refuge, so it does not seem that we will have to deal with that.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FORBES). The Chair will remind the gentleman to refrain from characterizing Senate action.

Mr. PALLONE. I am sorry. I tried not to use the term Senate, but I will not characterize their action.

The point I am trying to make is that even though, I think, we do not have to worry about drilling in the Arctic anymore as an issue, the bottom line is that the Republican leadership in both Houses, as well as the President, continue to push for drilling and exploration as the major priority rather than energy efficiency, conservation, and use of renewable resources.

Let me give you, if I can, if I can just talk a little bit about some of these Republican energy policies and highlight them a little bit in the time that I have.

The President's energy plan encourages increased domestic oil production, as I said, whether that means using new technology to enhance oil and gas recovery from existing wells, modifying Federal land use plans that currently restrict energy development; and the plan also calls for more natural gas pipelines and for streamlining the permit process to build more refineries.

In addition to exploration in the Arctic refuge, they also suggest that this increased production is somehow going to correct other States' electricity problems. But I have to say, Mr. Speaker, the bottom line is even if we try, and we should try to increase domestic production overall in the United States, it is never going to provide the kind of demand that we are used to on an exponential level. We cannot assume that we will be able to continue to grow and use more and more energy resources. We have to come up with a way of refining that policy or defining that policy so it is more efficient and does not waste energy resources.

Let me talk about renewables for a minute because I think it is important to stress that when it comes to energy resources that it is possible to use resources other than fossil fuels, non-renewables. Over the last 10, 20 years regardless of who was President, we continued a policy of trying to look for renewables in a way of coming up with energy resources, new types of energy resources. The President says in his plan, in his energy plan, that he wants an increased focus on renewable and alternative energies; but once again when we look at the budget and where the money is going and what is proposed for the budget, we see that those programs have been downgraded. They have not been prioritized. In many cases they have actually been cut.

In the President's 2002 budget proposal, it cuts Department of Energy funding for renewable and alternative energy sources by 37 percent; solar research funding is cut by nearly 54 percent; geothermal, hydrogen and wind research programs were cut by 48 percent. Funding to encourage the building of energy-efficient homes and offices and to reduce energy use at steel, glass, pulp and paper companies would also be reduced under the proposal.

Basically, what we are seeing, as I said, again, is a budget policy and an agency policy on behalf of the Bush administration that seeks to enhance the

power of industry and the needs and the lobbying efforts, if you will, of the utility companies. I guess the best example of that in my opinion was when the President reversed his campaign promise with regard to carbon dioxide. The President's energy plan proposes requiring electric utilities to reduce emissions and improve air quality. And he talks about this multi-pollutant strategy to encourage a development of legislation that would establish mandatory reduction targets for sulphur dioxide, nitrogen oxide, and mercury. Because of pressure from industry and anti-environmental leaders in the Congress and Republican leadership, the President earlier this year reneged on a campaign promise to include the regulation of carbon dioxide emissions in this plan.

□ 2100

Obviously, the environmental community and myself and most Democrats feel very strongly that carbon dioxide emissions have to be included if we are really going to get a handle on trying to fix the air pollution problem that we have.

The last thing I wanted to mention in this regard with regard to the national energy policy is a very important point I think; and that is, that under the Clean Air Act, when it was passed and with subsequent amendments, standards were put in place for any new power plants that are built, that they have to meet certain standards with regard to air emissions, but the plants that were built when the Clean Air Act came into effect are what we call grandfathered. In other words, they do not have to upgrade the plant to meet the air quality standards or air emission standards that exist for new plants.

When that happened back in the seventies and when the Clean Air Act was first passed, and again, that was under President Nixon, a Republican, it was anticipated that over the years, those old power plants would close and they would be replaced by new power plants that have the stricter standards. But what has been happening instead is that the older power plants continue to operate and, in fact, have expanded and used the grandfathering under the rubric of grandfathering to continue to go by the old standards that caused more air pollution.

What President Bush did or is proposing to do is to take aim at this so-called new source review. That is how we characterize the requirement, that for new power plants they have to adhere to stricter standards, and if just going by one of the environmental groups', National Resources Defense Council, quote that says, the Bush energy plan appears to invite all utility and coal industries, the Department of Energy and other agencies, to weaken Clean Air Act rules and interfere with pending enforcement cases.

What happened is that previously the EPA had actually sued some of the

utilities that owned these older power plants and said that they were violating the law by expanding those older plants and letting them use the older pollution standards rather than build new power plants that would adhere to the stricter standards, and the EPA brought this suit, was very successful and, in many cases, were at the point where they were going to force some of the utilities to adhere to the new standards rather than expanding the older plants under the old standards.

Now the Bush administration has essentially said that they are going to step in and not require that these upgrades take place. So, once again, it is just another example of how this administration is taking a very anti-environmental position. After over 30 years of continual upgrading of the environment and environmental laws, now we are seeing the Federal Government go in the opposite direction.

There are two other areas, Mr. Speaker, that I wanted to talk about in this regard. I actually only have one other area that I wanted to talk about in this regard, and again, I take this back to my home State because this is such an important issue in New Jersey, and it is just as important really in the rest of the country and, that is, hazardous waste sites.

We have, as I think many of us know, again dating back to the seventies, we put in place on a national level a program called the Superfund, which essentially requires that the Federal Government identify the most severely polluted hazardous waste sites in the country, the ones that pose the greatest threat to the environment, and once they are identified and put on what we call the national priority list, that the Federal Government is obliged to go in and clean them up. And they work with the States in doing that.

The basic premise of the Superfund program is the concept of what we call polluter pays. In other words, that the company that caused the hazardous site to occur, the company that caused the hazardous waste to be produced and left on a particular site is the one that has to pay the cost to clean it up. The problem, though, is, as anybody who is familiar with corporate law knows, is that corporations, and therefore the polluters that caused this pollution or these hazardous waste sites, often will go bankrupt, will go out of business, or we cannot find them.

So even though the Federal Government and the EPA pursuant to the Superfund program goes out and identifies the Superfund sites and then finds out who the responsible party was that caused the pollution, oftentimes, usually in about a third of the cases, the corporation no longer exists or does not have any money, and they cannot go after them and force them to do the cleanup.

What they did, and this was basically what the Superfund law was all about from a financial point of view, was that when the Superfund law was set up,

Congress established a tax primarily on the oil and chemical industry that is paid into a fund called the Superfund, hence the name, and that that money is then used to clean up those sites where we cannot find the polluter, the responsible party.

What happened, though, is that the Superfund program was moving along, and frankly, at the time when President Clinton took office and the 8 years that he was President, they accelerated the level of the cleanup at a lot of sites in the country so that now the majority of the Superfund sites are in some stage of cleanup, and many of them are actually completely done and totally remediated, as we said.

When the Republicans took the majority back in the House of Representatives, I guess 7 or so years ago, and Newt Gingrich became the Speaker at the time, the first thing or one of the first things that the Republican leadership did was to refuse to renew the authority for the Superfund tax. And so we have been going now for 7 years without that tax on the oil and chemical industry being renewed.

There was enough money carried over over those last 7 years or so that we have been able to continue to clean up a lot of these sites using the money left over from this Superfund tax, as well as providing some money through the budget from what we call general revenues. This is the money that the average American pays in their income tax primarily, or other taxes, to the Federal Government that has been used to make up for the fact that we do not have this Superfund tax in place.

The problem is that this budget year will be the last fiscal year when there is significant money left in the Superfund program generated by that tax on the oil and chemical industry. In the next fiscal year, even the President estimates there will only be about \$28 million left in the Superfund to do these cleanups. Twenty-eight million dollars is woefully inadequate. I think the level of funding that we need on an annual basis is in the hundreds of millions.

So what do we do? Democrats have been saying since 1994, when the Republican leadership took over in the House, that it was wrong to abolish or not renew this tax on the oil and chemical industry because the consequences eventually would be that we would not have money to pay for hazardous waste cleanups, and also that the burden now would be shifted to the average American taxpayer to pay for this cleanup, rather than having it paid for by the companies of industry that primarily caused it.

Now we are faced with a crisis where in the next year or so we will not have any money coming from this tax because there is nothing left. We have been advocating as Democrats, I have been advocating as the ranking member on our Subcommittee on Environment and Hazardous Materials of the Committee on Energy and Commerce

that we should simply renew the Superfund tax. It makes sense. That was the whole idea from the beginning, that the polluter pay, or if we cannot find the polluter, that the industry pay.

Again, so far as the Bush administration, President Bush has said he does not favor reimposing that tax. The Republican leadership in the House has said that they oppose it, and we are at a standstill and do not know what to do.

The President's budget this year calls for only about 40 Superfund sites to be cleaned up as opposed to the approximately 80 that have been cleaned up on the average, over the last 8 or 9 years. So we know that the program is already suffering because the number of sites to be cleaned up is half, and many of the States even in my own State of New Jersey and around the country, many of the States have been told that the money is not going to be forthcoming from the Federal Government to do the Superfund cleanup, even though those sites are ready and have a plan in place to do the cleanup.

In my home State, in my home district, in my congressional district, both in Edison, New Jersey, where we have a site called the chemical insecticide site, which basically produced Agent Orange during the Vietnam War, and a lot of the residue is still there on the site, they are ready to go with the remediation plan they have been working on for the last 20 years. And they have been told, no, they cannot start it, we do not have any money from the Federal Government.

There, again, the company that caused the problem went bankrupt, cannot be found, and so we cannot go after the polluter, and there is no money from the Federal Government.

Another site in Marlboro Township, again these sites are some of the most polluted Superfund sites in this country. This one is called Burnt Fly Bog. It was run by Imperial Oil Company, has all kinds of petroleum residue percolating from underground. That had experienced about 80 percent cleanup over the last 9 years, and they were supposed to do the last 20 percent starting now in the next few weeks, next few months. They were told by the EPA, we do not have the money to do it.

Here again what we are seeing, and maybe the Superfund program is the best example for me to use in the context of what I am trying to get across tonight, is that whether by regulatory action of the agencies or proposals to come to Congress or budgetary efforts to cut back on the amount of money that is available for cleanup or for enforcement, we have seen a concerted effort on the part of this administration of President Bush to try to cut back on environmental protections.

It is very unfortunate that on the anniversary of Earth Day, which was yesterday, we saw the President going around the country talking about

Earth Day, but his actions and the actions of the Republican leadership in this House do not dovetail with real environmental protection. In fact, the opposite is happening, and they continue to work to downgrade the environment and not provide the funding and the apportionment that is necessary to adequately carry out the good environmental laws that are on the books.

I am not going to keep going, Mr. Speaker. I could use a lot of other examples. But I did want to come here tonight to stress what is going on, and I think that hopefully the American people and my colleagues will wake up and realize that this degradation of the environment cannot continue and that the historical commitment that this Congress and that previous Presidents, both Democrat and Republican, have been making on a bipartisan basis to try to improve the quality of our environment should continue and should not be allowed to reverse itself as we have seen in the last year or 18 months into this administration.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of business in the district.

Mr. CRANE (at the request of Mr. ARMEY) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. NEY) to revise and extend their remarks and include extraneous material:)

Mr. BILIRAKIS, for 5 minutes, April 24.

Mrs. MORELLA, for 5 minutes, April 24.

Mr. THUNE, for 5 minutes, today.

Mr. PAUL, for 5 minutes, April 24.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 24, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6330. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule—Guaranteed Rural Rental Housing Program (RIN: 0575-AC26) received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6331. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's rule—Organization; Loan Policies and Operations; Termination of Farm Credit Status (RIN: 3052-AB86) received April 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6332. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)/TRICARE; Partial Implementation of Pharmacy Benefits Program; Implementation of National Defense Authorization Act for Fiscal Year 2001 (RIN: 0720-AA62) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6333. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-D-7517] received April 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6334. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received April 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6335. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received April 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6336. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received April 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6337. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Registration Form for Insurance Company Separate Accounts Registered as Unit Investment Trusts that Offer Variable Life Insurance Policies [Release Nos. 33-8088; IC-25522; File No. S7-9-98] (RIN: 3235-AG37) received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6338. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Beryllium Lymphocyte Proliferation Testing (BeLPT)—received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6339. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Guide of Good Practices for Occupational Radiological Protection in Uranium Facilities—received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6340. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Republic of Korea (Transmittal No. 03-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

6341. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6342. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6343. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6344. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6345. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6346. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the 2002 Annual Performance Plan; to the Committee on Government Reform.

6347. A letter from the Chairman, Federal Election Commission, transmitting the Commission's FY 1999-2001 Performance Report; to the Committee on Government Reform.

6348. A letter from the Acting Chairman, National Endowment For The Arts, transmitting the FY 2003 Performance Plan and the FY 1999, FY 2000, and FY 2001 Performance Reports; to the Committee on Government Reform.

6349. A letter from the Chairman and the General Counsel, National Labor Relations Board, transmitting the Board's FY 2001 Program Performance Report and the FY 2003 Performance Plan; to the Committee on Government Reform.

6350. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Quino Checkerspot Butterfly (*Euphydryas editha quino*) (RIN: 1018-AH03) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6351. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the National Marine Fisheries Service Strategic Plan for Fisheries Research, as required by Section 404 (a) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Resources.

6352. A letter from the Assistant Secretary, OSHA, Department of Labor, transmitting the Department's final rule—Procedures for the Handling of Discrimination Complaints Under Section 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (RIN: 1218-AB99) received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6353. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule—Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers, and Acquisitions of Control; and Procedures for Surface Transportation Board Consideration of Safety Integration Plans in Cases Involving Railroad Consolidations, Mergers, and Acquisitions of Control [FRA Docket No. 1999-4985, Notice No. 4] received April 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6354. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Procedures for Compensation of Air Carriers [Docket OST-2001-10885] (RIN: 2105-AD06) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6355. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E5 Airspace; Batesville, MS [Airspace Docket No. 01-ASO-19] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6356. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Andrews-Murphy, NC; Correction [Airspace Docket No. 02-ASO-2] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6357. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Restricted Area 5201, Fort Drum, NY [Docket No. FAA-2001-10286; Airspace Docket No. 01-AEA-11] (RIN: 2120-AA66) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6358. A letter from the Acting, Director Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule—Board of Veterans' Appeals Title Change (RIN: 2900-AL15) received April 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6359. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Revenue Procedure 2001-56—received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6360. A letter from the Secretary, Department of Energy, transmitting proposed legislation entitled, "Power Marketing Administration Authority Act"; jointly to the Committees on Resources, Transportation and Infrastructure, and the Budget.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2963. A bill to establish the Deep Creek Wilderness Area, and for other purposes; with an amendment (Rept. 107-416). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1448. A bill to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa; with an amendment Rept. 107-417 Pt. 1.

Mr. SESSIONS: Committee on Rules. House Resolution 395. Resolution providing for consideration of the bill (H. R. 3763) to protect investors by improving the accuracy and reliability of corporate disclosure made pursuant to the securities laws, and for other purposes Rept. 107-418. Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1448. Referral to the Committee on the Judiciary extended for a period ending not later than May 24, 2002.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska (for himself and Mr. QUINN):

H.R. 4545. A bill to authorize appropriations for the benefit of Amtrak for fiscal year 2003, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STUMP (for himself and Mr. SKELTON) (both by request):

H.R. 4546. A bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes; to the Committee on Armed Services.

By Mr. STUMP (for himself and Mr. SKELTON) (both by request):

H.R. 4547. A bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003; to the Committee on Armed Services.

By Mr. SMITH of Michigan (for himself, Mr. PASCRELL, Mr. WELDON of Pennsylvania, and Mr. HOYER):

H.R. 4548. A bill to amend the Federal Fire Prevention and Control Act of 1974 with respect to firefighter assistance; to the Committee on Science.

By Mr. BAIRD:

H.R. 4549. A bill to codify the duty-free treatment of imports of straight sawn shingles of western red cedar; to the Committee on Ways and Means.

By Mr. BALDACCIO:

H.R. 4550. A bill to amend the trade adjustment assistance program under the Trade Act of 1974 to clarify the eligibility requirements with respect to adversely affected workers who are engaged in self-employment assistance activities, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEN of Texas:

H.R. 4551. A bill to deem the nondisclosure of employer-owned life insurance coverage of employees an unfair trade practice under the Federal Trade Commission Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY:

H.R. 4552. A bill to amend the National Park Service Concessions Management Improvement Act of 1998 regarding certain small contracts; to the Committee on Resources.

By Mr. LEWIS of Kentucky (for himself, Mr. TANNER, Mr. HAYWORTH, Ms. DUNN, Mr. HERGER, and Mr. BLUNT):

H.R. 4553. A bill to amend the Internal Revenue Code of 1986 to provide that the vaccine excise tax shall apply to any vaccine against hepatitis A; to the Committee on Ways and Means.

By Mr. MEEKS of New York:

H.R. 4554. A bill to establish a program under which employees of the legislative branch may be reimbursed for the costs of graduate school tuition and fees, and for other purposes; to the Committee on House Administration.

By Mr. GARY G. MILLER of California:

H.R. 4555. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by the Department of Defense toward the repayment of certain student loans owed by members of the uniformed services; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 4556. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself and Mr. KIRK):

H.R. 4557. A bill to reduce recurring reporting requirements imposed by law on the Department of Defense; to the Committee on Armed Services.

By Mr. WALSH:

H.R. 4558. A bill to extend the Irish Peace Process Cultural and Training Program; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE:

H.J. Res. 88. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself and Ms. DELAURO):

H. Con. Res. 385. Concurrent resolution expressing the sense of the Congress that the Secretary of Health and Human Services should conduct or support research on certain tests to screen for ovarian cancer, and Federal health care programs and group and individual health plans should cover the tests if demonstrated to be effective, and for other purposes; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. WYNN, Ms. KILPATRICK, and Ms. NORTON.

H.R. 99: Mr. BALLENGER.

H.R. 122: Mr. GEKAS, Mr. PETRI, and Mr. LATOURETTE.

H.R. 179: Ms. WATSON.

H.R. 250: Mr. TANNER.

H.R. 303: Mrs. MYRICK.

H.R. 440: Mr. LEACH, Mr. LANGEVIN, and Mr. ISRAEL.

H.R. 491: Mr. SMITH of Washington, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, and Mr. COSTELLO.

H.R. 536: Ms. DEGETTE.

H.R. 548: Mr. OTTER, Mr. GRUCCI, Mr. FORBES, Mr. KERNS, Mr. OSE, and Mrs. MINK of Hawaii.

H.R. 638: Mr. HOYER.

H.R. 699: Mr. GORDON.

H.R. 826: Mr. BARTLETT of Maryland, Mr. ADERHOLT, and Mr. PUTNAM.

H.R. 835: Mr. SULLIVAN.

H.R. 877: Mr. MCGOVERN, Mr. GRAHAM, and Mr. SODER.

H.R. 914: Mr. ADERHOLT and Mr. MCINNIS.

H.R. 975: Mr. NETHERCUTT and Ms. BALDWIN.

H.R. 984: Mr. DEAL of Georgia.

H.R. 985: Mr. ROGERS of Michigan.

H.R. 1011: Mr. WATT of North Carolina.

H.R. 1073: Mr. JACKSON of Illinois and Mr. LYNCH.

H.R. 1086: Mr. WAXMAN, Mr. STENHOLM, and Ms. MILLENDER-MCDONALD.

H.R. 1090: Mr. HINOJOSA and Mr. TANCREDO.

H.R. 1182: Mr. TIBERI.

H.R. 1256: Mr. LYNCH, Mr. LARSON of Connecticut, and Mr. MENENDEZ.

H.R. 1265: Mr. GUTIERREZ.

H.R. 1294: Mr. MCGOVERN, Mr. GOODE, Mr. LEVIN, and Mr. FOLEY.

H.R. 1305: Mr. GEKAS and Mr. ISRAEL.

H.R. 1324: Mr. SERRANO, Mr. HILLIARD, Mr. REYES, Mr. CUMMINGS, and Mr. SANDERS.

H.R. 1354: Mr. CALLAHAN.

H.R. 1360: Mr. HONDA, Mr. GONZALEZ, and Ms. BALDWIN.

H.R. 1464: Mr. SOUDER.
 H.R. 1522: Mr. WEXLER and Mr. LUTHER.
 H.R. 1581: Mr. FOLEY.
 H.R. 1609: Mr. TAYLOR of North Carolina.
 H.R. 1688: Mr. GEKAS.
 H.R. 1764: Mr. HOEKSTRA, Mr. GUTKNECHT, and Mr. JOHNSON of Illinois.
 H.R. 1784: Mr. FOLEY.
 H.R. 1795: Mr. SULLIVAN, Mr. BLAGOJEVICH, Mr. FOLEY, and Mr. HONDA.
 H.R. 1808: Mr. WYNN.
 H.R. 1810: Mr. FATTAH, Mr. KILDEE, and Mr. STRICKLAND.
 H.R. 1839: Mr. JONES of North Carolina.
 H.R. 1904: Mr. KENNEDY of Rhode Island, Mr. BENTSEN, and Mr. LEVIN.
 H.R. 1911: Mr. SHOWS.
 H.R. 1919: Mr. SAWYER and Mr. UPTON.
 H.R. 1935: Mr. CARSON of Oklahoma, Mrs. LOWEY, Ms. MCCOLLUM, Mr. HEFLEY, Mrs. JO ANN DAVIS of Virginia, Mr. MENENDEZ, Mr. HASTINGS of Florida, Ms. VELAZQUEZ, Mr. GRAHAM, Mr. SAWYER, Mr. WATTS of Oklahoma, Mr. CASTLE, Mr. WAMP, Mr. FRELING-HUYSEN, Ms. ROYBAL-ALLARD, Mr. STRICKLAND, Mr. EVANS, Mr. NADLER, and Mr. LOBIONDO.
 H.R. 1943: Mr. GREENWOOD.
 H.R. 1956: Mr. BRYANT, Mr. EHRLICH, and Ms. MCCARTHY of Missouri.
 H.R. 1979: Mr. SIMMONS and Mr. HAYES.
 H.R. 2125: Mr. WATKINS, Mr. LANGEVIN, Mr. MCINTYRE, and Mr. WU.
 H.R. 2148: Mrs. DAVIS of California.
 H.R. 2173: Mrs. LOWEY, Mr. PETERSON of Minnesota, Mr. BRADY of Pennsylvania, Mr. WYNN, and Mr. LANTOS.
 H.R. 2219: Mr. GALLEGLY.
 H.R. 2374: Mr. TIBERI and Mr. SCHROCK.
 H.R. 2388: Mr. GIBBONS.
 H.R. 2405: Mr. SERRANO and Mr. FOLEY.
 H.R. 2419: Mr. LYNCH.
 H.R. 2592: Mr. WYNN and Mr. SANDERS.
 H.R. 2631: Mr. WAMP.
 H.R. 2670: Mr. LARSEN of Washington.
 H.R. 2674: Mr. CUMMINGS.
 H.R. 2820: Mr. DAVIS of Illinois, Mr. HILLEARY, Mr. CAPUANO, Mr. CONYERS, Mr. LARSON of Connecticut, and Mr. HINOJOSA.
 H.R. 2868: Mr. DOOLEY of California.
 H.R. 2953: Mr. CROWLEY and Ms. MILLENDER-MCDONALD.
 H.R. 3068: Mr. CROWLEY and Mr. HINOJOSA.
 H.R. 3105: Mr. SHAYS.
 H.R. 3113: Mr. UDALL of Colorado and Ms. RIVERS.
 H.R. 3132: Mr. EVANS, Ms. BERKLEY, Mr. DINGELL, Mr. NEAL of Massachusetts, and Mr. STARK.
 H.R. 3139: Mr. LEVIN.
 H.R. 3185: Mrs. KELLEY.
 H.R. 3238: Mr. SKELTON.
 H.R. 3244: Mr. MCINTYRE, Mr. LEWIS of California, Mr. MICA, Mr. NORWOOD, Mr. VITTER, Mr. PENCE, Ms. MCCOLLUM, and Mr. ETHERIDGE.
 H.R. 3320: Mrs. ROUKEMA and Mr. LUCAS of Kentucky.
 H.R. 3321: Mr. CRENSHAW and Mr. WATT of North Carolina.
 H.R. 3324: Mr. LANGEVIN and Mr. KENNEDY of Rhode Island.
 H.R. 3414: Mrs. ROUKEMA and Mr. KIND.
 H.R. 3430: Mr. KUCINICH, Mrs. CAPITO, and Mr. WHITFIELD.
 H.R. 3439: Ms. ROS-LEHTINEN, Mr. FROST, Mr. KENNEDY of Minnesota, Mr. SOUDER, Mr. CARSON of Oklahoma, Mr. MCGOVERN, and Mr. HASTINGS of Florida.
 H.R. 3450: Ms. SLAUGHTER.
 H.R. 3505: Mr. FRANK.
 H.R. 3512: Mrs. MINK of Hawaii and Mr. HASTINGS of Florida.
 H.R. 3524: Mr. EVANS.
 H.R. 3569: Mr. EVANS.
 H.R. 3595: Ms. RIVERS.
 H.R. 3626: Ms. VELAZQUEZ.
 H.R. 3661: Mr. MCHUGH and Mr. BONILLA.

H.R. 3670: Ms. JACKSON-LEE of Texas, Mrs. DAVIS of California, Ms. SLAUGHTER, Mr. ORTIZ, Mr. ROTHMAN, and Mr. RODRIGUEZ.
 H.R. 3686: Mr. JONES of North Carolina.
 H.R. 3710: Mr. ROTHMAN.
 H.R. 3713: Mr. JEFF MILLER of Florida.
 H.R. 3717: Mr. SCHAFER and Mr. THORNBERRY.
 H.R. 3792: Ms. RIVERS, Mr. FRANK, and Ms. MILLENDER-MCDONALD.
 H.R. 3794: Mr. BLUMENAUER, Mr. MCDERMOTT, Mr. INSLEE, Mr. BACA.
 H.R. 3826: Ms. MCKINNEY.
 H.R. 3831: Mr. HAYES.
 H.R. 3833: Mr. BISHOP.
 H.R. 3834: Mr. EVANS.
 H.R. 3847: Mr. MENENDEZ.
 H.R. 3884: Mr. UDALL of New Mexico and Mr. MCDERMOTT.
 H.R. 3890: Mrs. CLAYTON.
 H.R. 3900: Mr. WHITFIELD.
 H.R. 3912: Ms. SCHAKOWSKY.
 H.R. 3956: Ms. MCCOLLUM.
 H.R. 3957: Mr. EVANS.
 H.R. 3974: Mr. DOOLEY of California and Mr. DEFAZIO.
 H.R. 4000: Mr. PAUL, Mr. WYNN, Mr. LANGEVIN, and Mr. EVANS.
 H.R. 4003: Mrs. DAVIS of California.
 H.R. 4014: Ms. VELAZQUEZ, Mr. KIND, and Mrs. JOHNSON of Connecticut.
 H.R. 4018: Mrs. THURMAN, Mr. FRANK, and Mr. MCGOVERN.
 H.R. 4030: Mr. MCHUGH.
 H.R. 4066: Mr. MURTHA, Mr. BOEHLERT, Mr. HOFFEL, Mr. ENGEL, Mr. BAIRD, Mr. FROST, and Mr. KIND.
 H.R. 4089: Ms. VELAZQUEZ, Ms. ROYBAL-ALLARD, Mr. CLAY, and Ms. NORTON.
 H.R. 4091: Ms. VELAZQUEZ, Ms. ROYBAL-ALLARD, Mr. CLAY, and Ms. NORTON.
 H.R. 4108: Mr. CANTOR, Mr. STENHOLM, Mr. SHADEGG, and Mr. GREENWOOD.
 H.R. 4119: Mr. HASTINGS of Florida.
 H.R. 4169: Mr. SAM JOHNSON of Texas.
 H.R. 4187: Mr. BALDACCIO, Mr. SHAYS, Mr. GILMAN, Mr. GEORGE MILLER of California, Mr. VISCLOSKEY, Mr. DEFAZIO, and Mr. ROEMER.
 H.R. 4194: Mr. ISAKSON, Mrs. CLAYTON, Mr. PAUL, Ms. MCKINNEY, and Mr. JEFFERSON.
 H.R. 4209: Ms. BROWN of Florida, Mr. WEXLER, Ms. PELOSI, Mr. SMITH of Washington, and Mr. YOUNG of Alaska.
 H.R. 4446: Mr. GARY G. MILLER of California, Mr. DIAZ-BALART, Mr. WELDON of Pennsylvania, Ms. PRYCE of Ohio, Mr. BARTLETT of Maryland, Mr. ENGLISH, and Mr. QUINN.
 H.R. 4483: Ms. ROS-LEHTINEN, Mr. OTTER, Mr. COBLE, Mr. TIBERI, Mr. PLATTS, and Mr. SHERMAN.
 H.R. 4515: Mr. PETERSON of Minnesota.
 H.J. Res. 40: Mr. LAMPSON.
 H.J. Res. 81: Mr. ENGLISH and Mr. MCCREARY.
 H. Con. Res. 46: Mr. ENGLISH, Mr. ISRAEL, Mr. GOODE, and Mr. CARSON of Oklahoma.
 H. Con. Res. 177: Mr. OWENS.
 H. Con. Res. 271: Mr. SAXTON.
 H. Con. Res. 301: Mr. GEKAS.
 H. Con. Res. 315: Mr. CRANE and Mr. ADERHOLT.
 H. Con. Res. 346: Ms. MCCOLLUM.
 H. Con. Res. 355: Mr. LANTOS, Mr. GILMAN, Mr. ROTHMAN, Mr. MENENDEZ, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mr. BERMAN, Mr. ACKERMAN, Mr. McNULTY, Mr. CLEMENT, and Mr. CANTOR.
 H. Con. Res. 358: Mr. TOWNS, Ms. MCCOLLUM, Mr. HANSEN, Mr. RUSH, Mr. LYNCH, Mr. WOLF, Mr. HALL of Texas, and Mr. HILLIARD.
 H. Con. Res. 378: Mr. PENCE, Mr. EHRLERS, Ms. HART, Mr. HOBSON, Mr. HAYWORTH, Mr. KENNEDY of Minnesota, Mr. PICKERING, Ms. ROS-LEHTINEN, Mr. SIMPSON, Mr. BROWN of South Carolina, Mr. CUNNINGHAM, Mr. CALVERT, Mr. BRYANT, Mr. CASTLE, Mr. CHABOT,

Mr. CANNON, Mr. FLETCHER, Mr. FERGUSON, Mr. GOSS, Mr. WELLER, Mr. WICKER, Mr. WILSON of South Carolina, Mr. RAMSTAD, Mr. HERGER, Mr. BOOZMAN, Mr. WHITFIELD, Mr. RADANOVICH, Mr. WAMP, Mr. SHIMKUS, Mr. GALLEGLY, Mr. KIRK, Mr. CHAMBLISS, Mr. BALLENGER, Mr. GRAHAM, Mr. EHRLICH, Mr. CAMP, Mr. TAUZIN, Mr. GARY G. MILLER of California, Mr. KELLER, Mrs. WILSON of New Mexico, Mr. GOODLATTE, Mrs. MORELLA, Mr. DAN MILLER of Florida, Mr. HAYES, Mr. ABERCROMBIE, Mr. BAIRD, Ms. BALDWIN, Mr. BARCIA, Mr. BERMAN, Mr. BISHOP, Mr. BRADY of Texas, Ms. BROWN of Florida, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CONDIT, Mr. COYNE, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DINGELL, Mr. EVANS, Ms. ESHOO, Mr. FALCONE, Mr. FROST, Mr. HALL of Ohio, Ms. HARMAN, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KIND, Mr. LANGEVIN, Ms. LOFGREN, Mr. LYNCH, Mr. MALONEY of Connecticut, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mr. McNULTY, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. NADLER, Ms. NORTON, Mr. RAHALL, Mr. SAWYER, Mr. SCHIFF, Mr. SERRANO, Mr. SHERMAN, Mr. TURNER, Ms. WATERS, Mr. WATT of North Carolina, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, Mr. COLLINS, Mr. FATTAH, Mr. DAVIS of Florida, Mrs. BIGGERT, and Mr. OXLEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 448: Mr. MCDERMOTT.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3231

OFFERED BY: MR. KOLBE

(Amendment in the Nature of a Substitute)

AMENDMENT No. 1. Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Immigration and Naturalization Service Reorganization Act of 2002”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Activities within Department of Justice.
 Sec. 3. Activities within Department of State.
 Sec. 4. Activities within Department of Labor.
 Sec. 5. Conforming provisions.
 Sec. 6. Effective date; transition.

SEC. 2. ACTIVITIES WITHIN DEPARTMENT OF JUSTICE.

(a) ABOLITION OF INS.—The Immigration and Naturalization Service and the office of Commissioner of Immigration and Naturalization are abolished.

(b) CONSOLIDATION OF BORDER PATROL, INSPECTIONS, INVESTIGATIONS, AND REMOVAL AND RELATED ENFORCEMENT FUNCTIONS WITHIN A BUREAU OF IMMIGRATION ENFORCEMENT.—Title I of the Immigration and Nationality Act is amended—

(1) by inserting the following after the heading to the title:

“CHAPTER 1—DEFINITIONS AND GENERAL AUTHORITIES”; and

(2) by adding at the end the following new chapter:

“CHAPTER 2—ADMINISTRATION OF
IMMIGRATION SYSTEM

“IMMIGRATION ENFORCEMENT THROUGH A BUREAU FOR IMMIGRATION ENFORCEMENT IN DEPARTMENT OF JUSTICE

“SEC. 111. (a) ESTABLISHMENT OF BUREAU.—There is hereby established in the Department of Justice the Bureau for Immigration Enforcement.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The head of such Bureau shall be the Director for Immigration Enforcement, who—

“(A) shall be appointed by the President, by and with the advice and consent of the Senate; and

“(B) shall report directly to the Attorney General.

“(2) COMPENSATION.—The Director shall be paid at the rate of basic pay payable for level II of the Executive Schedule.

“(c) FUNCTIONS.—

“(1) IN GENERAL.—The Bureau shall perform functions under the immigration laws relating to the following:

“(A) Prevention of illegal entry.

“(B) Inspection at ports of entry.

“(C) Apprehension and detention, including programs of parole or supervised release.

“(D) Exclusion, deportation, and removal.

“(E) Investigations, including investigations of immigration-related smuggling operations and document fraud.

“(2) DELEGATION OF DETENTION AUTHORITY.—Under regulations of the Attorney General, the responsibilities of the Bureau relating to detention of aliens may be delegated to the Federal Detention Trustee.

“(d) GENERAL COUNSEL.—There shall be a position of General Counsel for the Bureau of Immigration Enforcement. The General Counsel and his or her delegates shall, in addition to such other duties as they may be assigned by the Director for Immigration Enforcement, shall represent the Bureau in all exclusion, deportation, and removal proceedings before the Executive Office for Immigration Review, including in proceedings to adjudicate relief from exclusion, deportation and removal, and in other legal, judicial, or administrative proceedings involving the functions performed by the Bureau.

“(e) FIELD OFFICES.—The Bureau shall conduct its enforcement activities through field offices. The location of such offices shall be determined based upon the enforcement priorities of the Bureau and without regard to the location of previous district offices of the Immigration and Naturalization Service or the location of service offices established to carry out section 112. Nothing in this subsection shall be construed as preventing the Bureau from continuing the use of regional offices for administrative and managerial oversight of field offices.”

SEC. 3. ACTIVITIES WITHIN DEPARTMENT OF STATE.

(a) IN GENERAL.—Chapter 2 of title I of the Immigration and Nationality Act, as added by section 2(b), is amended by adding at the end the following new section:

“PERFORMANCE OF FUNCTIONS RELATED TO IMMIGRATION AND REFUGEE ADMISSIONS, ASYLUM AFFAIRS, CITIZENSHIP, AND PASSPORT ACTIVITIES IN DEPARTMENT OF STATE

“SEC. 112. (a) ASSISTANT SECRETARIES OF STATE.—There shall be appointed in the Department of State an Assistant Secretary of State for Immigration Affairs, an Assistant Secretary of State for Refugee Admissions and Asylum Affairs, and an Assistant Secretary of State for Citizenship and Passport Services. Such Assistant Secretaries shall be in addition to such Assistant Secretaries as are authorized under section 1(c) of the State Department Basic Authorities Act of 1956.

“(b) UNDER SECRETARY FOR CITIZENSHIP, IMMIGRATION, AND REFUGEE ADMISSIONS.—

“(1) IN GENERAL.—Such Assistant Secretaries shall be under the supervision and direction of an Under Secretary of State for Citizenship, Immigration, and Refugee Admissions who—

“(A) shall be appointed by the President, by and with the advice and consent of the Senate; and

“(B) shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.

“(2) RELATION TO OTHER AUTHORITY.—Such Under Secretary shall be in addition to such Under Secretaries as are authorized under section 1(b) of the State Department Basic Authorities Act of 1956.

“(c) FUNCTIONS.—The Assistant Secretaries appointed under subsection (a) shall perform functions under the immigration laws relating to adjudication of applications for citizenship, immigration, and refugee status, and related benefits, both within the United States and abroad, issuance of appropriate documentation, and overseas citizens services, and related anti-fraud activities.

“(d) REVIEW OF DECISIONS.—The Secretary of State shall establish by regulation procedures for internal review of decisions of consular and other officers in granting, refusing, or revoking visas, adjustment or change in immigration status, and naturalization.”

(b) FUNDING.—Section 286 of such Act (8 U.S.C. 1356) is amended—

(1) in subsection (m)—

(A) by striking “as are designated by the Attorney General” and inserting “as are designated by the Secretary of State”,

(B) by striking “directly by the Attorney General” and inserting “directly by the Secretary of State, the Attorney General”, and

(C) by striking “by the Attorney General” after “received”;

(2) in subsection (n)—

(A) by striking “Attorney General” and inserting “Secretary of State”, and

(B) by inserting “and other services described in section 112(c)” after “naturalization services”; and

(3) in subsection (o), by striking “Attorney General” and inserting “Secretary of State”.

SEC. 4. ACTIVITIES WITHIN DEPARTMENT OF LABOR.

Chapter 2 of title I of the Immigration and Nationality Act, as added by section 2(b) and as amended by section 3(a), is amended by adding at the end the following new section:

“RESPONSIBILITIES OF DEPARTMENT OF LABOR

“SEC. 113. (a) RESPONSIBILITY FOR VERIFICATION-RELATED ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary of Labor is responsible for enforcement of provisions of the immigration laws relating to verification of employment authorization under subsections (a)(1)(B), (a)(5), and (b) of section 274A.

“(2) ENFORCEMENT AUTHORITY.—The Secretary of Labor is authorized to impose penalties under section 274A(e)(5) for violations of section 274A(a)(1)(B).

“(3) NOTICE.—The Secretary of Labor shall notify the Director of the Bureau for Immigration Enforcement of any information discovered concerning a violation of section 274A(a)(1)(A).

“(b) RESPONSIBILITY FOR ENFORCEMENT OF TERMS AND CONDITIONS OF EMPLOYMENT.—

“(1) IN GENERAL.—The Secretary of Labor shall monitor employers’ fulfillment of terms and conditions of attestations, labor certifications, and other applications filed in compliance with employment-related requirements for the admission of aliens under the immigration laws, including under subparagraphs (H), (L), (O), (P), and (Q) of section 101(a)(15) and under section 203(b).

“(2) AUTHORITY TO IMPOSE ADMINISTRATIVE FINES.—The Secretary of Labor may assess

administrative fines against those found to have violated the terms and conditions of such attestations, labor certifications, and applications.

“(3) NOTICE.—The Secretary of Labor shall notify the Secretary of State of any finding of a substantial failure to meet the terms and conditions of such attestations, labor certifications, and applications.

“(c) CONSTRUCTION.—Nothing in this section shall be construed as affecting the administration of section 274B (relating to unfair immigration-related employment practices).”

SEC. 5. CONFORMING PROVISIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any reference in law or regulation to the Commissioner of Immigration and Naturalization, to the Immigration and Naturalization Service, or the Administrator described in section 104(b) of the Immigration and Nationality Act with respect to a function or authority shall be deemed a reference to the appropriate entity which has such function or authority under chapter 2 of title I of the Immigration and Nationality Act, as amended by this Act.

(b) SUPERSEDING OTHER PROVISIONS OF LAW.—Chapter 2 of title I of the Immigration and Nationality Act, as added by this Act, is amended by adding at the end the following:

“RELATIONSHIP TO OTHER PROVISIONS

“SEC. 114. (a) IN GENERAL.—The provisions of this chapter supersede sections 103 and 104 and other provisions of law to the extent such provisions are inconsistent with the provisions of this chapter.

“(b) NO APPLICATION TO ADMINISTRATION OF REFUGEE ASSISTANCE.—This chapter shall not affect the administration of title IV of this Act.”

(c) SUBMISSION OF LEGISLATIVE PROPOSAL FOR TECHNICAL AND CONFORMING AMENDMENTS.—Not later than 90 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretaries of State and Labor and, as appropriate, with the heads of other Federal agencies, shall submit to the Congress, a legislative proposal proposing such technical and conforming amendments to the Immigration and Nationality Act and other immigration-related laws as are necessary to bring the law into conformity with the policies embodied in this Act.

(d) CLERICAL AMENDMENTS.—The table of contents of the Immigration and Nationality Act is amended—

(1) by inserting before the item relating to section 101 the following:

“CHAPTER 1—DEFINITIONS AND GENERAL AUTHORITIES”;

(2) by amending the item relating to section 103 to read as follows:

“Sec. 103. Powers and duties of the Attorney General.”;

and

(3) by inserting after the item relating to section 105 the following:

“CHAPTER 2—ADMINISTRATION OF THE IMMIGRATION SYSTEM

“Sec. 111. Immigration enforcement through a bureau for immigration enforcement in Department of Justice.

“Sec. 112. Performance of refugee admissions, asylum affairs, citizenship, and passport activities in Department of State.

“Sec. 113. Responsibilities of Department of Labor.

“Sec. 114. Relationship to other provisions.”.

SEC. 6. EFFECTIVE DATE; TRANSITION.

(a) EFFECTIVE DATE.—Except as provided in this section, this Act, and the amendments

made by this Act, shall take effect on the date that is 6 months after the date of the enactment of this Act.

(b) **TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.**—

(1) **IN GENERAL.**—The personnel of the Department of Justice or other agency employed in connection with the functions transferred by this Act, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available to such Department or agency in connection with the functions transferred by this Act, subject to section 202 of the Budget and Accounting Procedures Act of 1950, shall be transferred to the entity to which such funds are so transferred for appropriate allocation by the head of such entity. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.

(2) **EFFECT ON PERSONNEL.**—

(A) **IN GENERAL.**—The transfer under this Act of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, if at all, for 1 year after the date of the transfer.

(B) **EXECUTIVE SCHEDULE.**—Any person who, on the day preceding the effective date of this Act, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed into an agency established under this Act to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(c) **DELEGATION AND ASSIGNMENT.**—Except as otherwise expressly prohibited by law or otherwise provided in this Act, an official to whom functions are transferred under this Act (including the head of any office to which functions are transferred under this Act) may delegate any of the functions so transferred to such officers and employees of the office of the official as the official may designate, and may authorize successive re-delegations of such functions as may be necessary or appropriate. No delegation of functions under this section or under any other provision of this Act shall relieve the official

to whom a function is transferred under this Act of responsibility for the administration of the function.

(d) **SAVINGS PROVISIONS.**—

(1) **CONTINUING LEGAL FORCE AND EFFECT.**—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any amendment made by this Act; and

(B) that are in effect at the time such transfer takes effect, or were final before the effective date of such transfer and are to become effective on or after the effective date of such transfer,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) **PENDING PROCEEDINGS.**—(A) The provisions of any amendment made by this Act shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any provision before any department, agency, commission, or component thereof, functions of which are transferred by any amendment. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(B) Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the authorized Federal official, by a court of competent jurisdiction, or by operation of law.

(C) Nothing in this Act shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(D) The head of each of the Federal Departments is authorized to promulgate regula-

tions providing for the orderly transfer of proceedings continued under this paragraph with respect to such Department.

(3) **NO EFFECT ON JUDICIAL PROCEEDINGS.**—Except as provided in paragraph (5)—

(A) the provisions of this Act shall not affect suits commenced prior to the effective date of this Act, and

(B) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(4) **NONABATEMENT OF PROCEEDINGS.**—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by any amendment made by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by any such amendment, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this Act.

(5) **CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.**—If, before the date on which any amendment made by this Act takes effect, any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to another official, then such suit shall be continued with the other appropriate official substituted or added as a party.

(6) **REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.**—Orders and actions of the Attorney General or other Federal official Secretary in the exercise of functions transferred under any amendment made by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any such amendment shall apply to the exercise of such function by the appropriate Federal official.

Amend the title so as to read: "A bill to amend the Immigration and Nationality Act to improve the administrative structure for carrying out the immigration laws."